

In The United States District Court
for The Southern District of Mississippi

Holloway

Plaintiff

vs

case No. 5:21-cv-63-KS-RHWR

Middlebrooks et al

Defendant(s)

Plaintiff's Complete Amended
Complaint with Jury Demand

I Jurisdiction + Venue

1. This is a civil action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under color of state law, of rights secured by the United States Constitution and the Mississippi Constitution. The Court has jurisdiction under 28 U.S.C. Section 1331 and 1343 (a)(3). Plaintiff seeks declaratory relief pursuant to 28 U.S.C. Section(s) 2201 and 2202. Plaintiffs' claims for injunctive relief are authorized by 28 U.S.C. section(s)

2283 and 2284 and Rule 65 of the Fed. R. C.P.
The plaintiff also seeks damages. The plaintiff
also alleges the torts of negligence under
Mississippi Law.

II Plaintiff

2. Plaintiff, Jason Holloway, is and was at all times mentioned herein a prisoner of the State of Mississippi in the custody of the Mississippi Department of Corrections (M.D.O.C.) He is currently confined at the Wilkinson County Correctional Facility (W.C.C.F.). He has been housed at WCCF since Feb. 25th 2021 and he is still currently housed at W.C.C.F.

III Defendants

3. Defendant, Scott Middlebrooks is the former warden of W.C.C.F. and he is tasked with the orderly running of the facility and making sure that the plaintiff receives adequate medical

care, that is medical ordered diet is followed, that he receives fair hearings at his disciplinary hearings, that he gets to scheduled medical appointments, that all policies are being followed, that he gets to practice his firm religious belief and that there is adequate staff to safely run the prison.

4. Defendant, Dr. J. Burke is the medical doctor at W.C.C.F. And has the task to make sure the plaintiff receives adequate, timely medical, dental, and mental health treatments.
5. Defendant, Unknown former H.S.A, Saint Julian is the former Health Service Administrator (H.S.A.) and is responsible for making sure the medical department has adequate staff and that plaintiff receives adequate medical, dental, and mental health treatment
6. Defendant, Management & Training Corporation (M.T.C.) is a for profit organization. And is contracted with M.D.O.C. to operate. And run

W.C.C.F. M.T.C. is responsible for making sure that it properly as adequate staff to operate and safely run the prison. M.T.C. has failed to adequately staff W.C.C.F. and has failed to train, supervise, and provide adequate staff to operate and run W.C.C.F.

7. Defendant, Unknown Dunmore, is the former kitchen supervisor at W.C.C.F. She is responsible for making sure that the plaintiff received his prescribed medical ordered diet and receives adequate nutrition on his trays.

8. Defendant, D. Anthony is the Chaplain at W.C.C.F. and is responsible to make sure that the plaintiff gets to practice his religion as a Muslim and his Islam faith.

9. Defendant, George Castro is the former Deputy Warden at W.C.C.F. And he is responsible for the orderly running of the facility and make sure the plaintiff gets adequate medical.

dental and mental health care, that his medical ordered diet is followed, and that he gets to scheduled medical appointments, that all policies are being followed, that he gets to practice his religious belief, and that there is adequate staff to properly and safely run the facility

10. Defendant, William DeRevere is the Deputy Warden at W.C.C.F. And is responsible for the orderly running of the facility, and making sure the plaintiff gets adequate medical, dental, and mental health care, that his medical ordered diet is followed, and that he gets to scheduled medical appointments, that all policies are being followed, that he gets to practice his religious belief, and that there is adequate staff to properly and safely run the facility.

11. Defendant, Vital Core Health Strategies is the contracted medical company with M.D.O.C. They are responsible for making sure the plaintiff is provided with adequate medical, dental and

mental health treatment. That there is adequate staff to provide proper medical care.

12. Defendant, Unknown Ware is the disciplinary investigator at W.C.C.F. She is responsible for getting witness statements and investigating the Rule Violation Reports (R.V.R.)

13. Defendant, Unknown J. Pendleton is the disciplinary hearing officer. She is responsible for looking at the evidence gathered by the investigator, and giving the plaintiff a fair and partial hearing.

14. Defendant, Unknown D. Vannoy is the Warden at W.C.C.F. He is responsible for the orderly running of the facility. For making sure the plaintiff gets adequate medical, dental and mental health care, that his medical ordered diet is followed, that he is able to practice his religion, that he gets to scheduled medical appointments, that all policies are being followed, and that there is adequate

staff to properly and safely run the facility.

15. Defendant, Sgt. Joseph Hall is a correctional sergeant at W.C.C.F. He is responsible for doing the drug testing here at W.C.C.F.

16. Defendant V. Day is the Unit Manager at W.C.C.F. She is responsible for making sure that her units are properly runned. By making sure the plaintiff gets adequate medical treatment, gets to practice his religion, gets medical ordered diet, gets to scheduled medical appointments, and has adequate staff to properly and safely run her units, and provide plaintiff with medical ordered chair.

17. Defendant Unknown Sgt. Reese is the Unit Zone Sergeant and zone counselor. She is responsible for making sure the zones are run properly. By making sure the plaintiff gets to scheduled medical appointments, gets to practice his religion, gets medical ordered diet and chair for cells, And has adequate staff to properly run her zones.

18. Defendant, Unknown Nurse Robinson is a nurse at W.C.C.F. She is responsible to make sure that the plaintiff gets adequate medical, dental, and mental health treatment. She is also responsible for ordering the plaintiff's prescribed medications.
19. Defendant, Unknown Mrs Taylor is the medical clerk here at W.C.C.F. She is responsible for scheduling of sick call and other medical appointments and for ordering the plaintiff's medical shoes and other supplies. For making sure the plaintiff gets scheduled and seen in a timely manner.
20. Defendant, Unknown Officer Boyd is a correctional officer at W.C.C.F. where she works in medical. She is responsible for making sure the plaintiff gets to all scheduled medical appointments as she is the escort officer for transporting the plaintiff to and from medical.

21. Defendant, Unknown Ms. Hunt is the current kitchen supervisor at W.C.C.F. She is responsible for making sure that the plaintiff receives adequate nutrition on his trays and that his medically ordered diet is properly followed.
22. Defendant, Laura Donnelly, R.D. is the former dietitian at W.C.C.F. She is responsible for making sure the plaintiff receives adequate nutrition and that the plaintiff's medical ordered diet is followed.
23. Defendant, Ellen Ossorio, R.D., MS, LDN, is the current dietitian and is responsible for making sure the plaintiff receives adequate nutrition and that the plaintiff's medical ordered diet is followed.
24. Defendants, Jane And John Does 1-100 are other M.T.C., MDOC, Vital Core Health Strategies, or W.C.C.F. employees that the plaintiff is

unaware of at this time, who could also have been ~~are~~ currently are responsible for the violations of the plaintiff's constitutional rights.

25. All of the named defendants in this case are being sued in both their individual and official capacities.

IV Facts of the Case

26. The plaintiff was transferred from C.M.C.F. to W.C.C.F. around Feb. 25th 2021. Upon arriving at W.C.C.F. during the intake process the plaintiff advised the medical personnel of all his medical and mental health issues. The plaintiff also Case Manager Dukes during intake that he was of the Islam faith that he had changed his religion at C.M.C.F. in 2019. The plaintiff was placed in a holding cell for about 7 days then taken to segregation on or around March 1st 2021 pending protective custody.

Around March 30th 2021 I was moved from segregation to C,D,E, housing unit and was placed on Echo Pod on Protective Custody (P.C) cell 204. Since then have been moved to cell 206 and am currently in Echo cell 207.

IV Denial of Medical Care

27. The plaintiff turned in sick calls to the nurses while housed in segregation on the following dates to the best of my knowledge; 3-1-21, 3-3-21, 3-10-21, 3-17-21, the plaintiff turned in approx 8 sick calls while he was housed in segregation and never got seen for none of them.
28. Around 3-25-21 I sent a inmate request to defendant Saet Julian the former H.S.R. about not getting seen for sick-calls and not receiving my prescribed medication. Never got a response to this request.

29. Around 3-28-21 I submitted my ARP about the denial of medical and mental health care I was never seen for any sick calls for the whole time I was in segregation from 3-1-21 - 3-31-21. I completed the ARP process around July 2nd 2021. (See Exhibit #1)

30. On or around 4-1-21 I was finally taken to medical and seen by defendant Saint Julian the former H.S.A. She only seen me for two (2) of my sick calls and didn't do nothing but tell me that I would be seen by defendant Burke's the next day.

31. I was never taken to see the Dr. the next day after making several request nor was I seen by him for a whole other (2) two months. After being referred to him.

32. Around 6-14-21 defendant Middlebrooks came around the Unit and I talked to him about me not being seen for my sick calls or getting to my appointments. He typed something

into his phone And told me he would take care of it,

33. Around 6-16-21 I was finally seen for the first time by Defendant Burke's And he ordered an X-Ray of my leg and ankle where the screw seems to be coming out. He gave me a breathing treatment. He didn't do anything else but try to rush and see me and get me out of his office.

34. On 6-18-21 I was taken back to medical and a X-Ray was taken and once again I asked Dr. Burke's for something for pain and about ordering my medical shoes.

35. Since the filing of this Complaint and until now the plaintiff has filled out numerous more sick calls and have been seen for only a portion of them. The plaintiff is still not being seen in a timely manner for his sick calls and is still not receiving adequate medical, dental or mental

health care

36. The delay And inadequate medical, dental and mental health care at W.C.C.F. violates the plaintiff's Constitutional Rights of the 8th Amendment. The plaintiff is still in much pain in his leg due to the rod and screws. Its hard for me to put pressure on my left leg or even walk at times. And is still not receiving adequate medical, dental and mental health care.

VI Denial of Religion

37. When the plaintiff arrived at W.C.C.F. on 2-25-21 during the intake process when case manager Dukes was doing my intake she asked me what my religion was. I told her I was of the Islam faith that I had changed my religion at C.M.C.F. in 2019 And started practicing Islam.

38. Upon arriving And being housed at W.C.C.F.

I sent out several inmate request forms to the Chaplains Department and to the kitchen advising them that I was of the Islam faith and that Ramadan was approaching and that I wished to participate in Ramadan.

39. When Ramadan started the plaintiff was told that he was not on the list to participate in Ramadan. So the plaintiff still fasted as required for the month of Ramadan. During Ramadan I am required to eat before sunrise and not again until after sunset. Ramadan started April 13th 2021 and Ended May 13th 2021.

40. Since the plaintiff was not on the list to participate in Ramadan his trays were served with the other inmates. Which most of the times were delivered after the sun came up and before the sun went down. During this time the plaintiff saved what he could off of each tray and ate it at the appropriate time. Which was very little causing the plaintiff to suffer from severe

weight loss, stomach cramps from hunger, AND mental AND emotional distress.

41. The plaintiff was seen by Dr. Burke on 6-16-21 and because of the severe weight loss the plaintiff had suffered from fasting and not being able to eat during Ramadan Dr. Burke ordered me a special diet tray. That tray being a Nutrition Support tray which is suppose to have more nutrition than the regular trays served to the other inmates, (See Exhibit # 2) (See also Exhibit # 3) which is were the diet tray had to be reordered cause the plaintiff is still under weight.

42. The plaintiff filed his ARP concerning the denial of his religion. When the plaintiff filed his original ARP he attached to it a copy of his change of religion form that was done at C.M.C.F. But the Chaplain and Warden said that they didn't have a copy on file which they do. The ARP process was complete on 7-14-21 (see Exhibit # 4).

VII Furnishings

43. The plaintiff is on P.C. and is a closed custody (C-Custody Status) inmate. Being a C-Custody inmate the plaintiff is only allowed out of his cell for 1 hour a day 5 days a week. On the weekends and holidays he is locked in his cell with another inmate 24 hours a day. All other times the plaintiff is locked in his cell for 23 hours a day.

44. The cell the plaintiff is confined in consist of a toilet, a sink, a light, a door with a small window and tray slot, and a set of bunk beds. There is no table or chair in his cell or any other cell. I am either forced to sit on the floor, sit or lay on my rack, or stand up, which he has to do to watch T.V. at the cell door window. There is no place to sit and write or do legal work and write letters etc.

45. The plaintiff does lots of writing, legal work and research, along with correspondence and

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college courses that are outside of the facility that I'm voluntarily taking to better myself. In order to write, do research or legal work the plaintiff is forced to either sit on the floor or sit on his rack to do these things.

46. Being forced to sit either on the floor or on the bed to write and do legal work hunched over for hours writing and do legal work has caused me to suffer severe back pains in my lower and upper back.

47. I have had to fill out several sick calls to get pain meds for my back and even had a X-Ray done on it because of the severe pain that having no place to sit and write has caused me.

48. I filed an ARP about this only to be told that no table will be installed in the cells and could only receive a chair if it was a order from the doctor. (See Exhibit # 5).

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49. Since the filing of this ARP and the response from Defendant Vannoy about the chair I have been given a chair profile by the doctor. Even with the chair profile I still have not been provided with a chair And I'm still having to hunch over and write and stuff which is still causing me severe back pains (See Exhibit #6)

VIII Denial of Adequate Nutrition and failure
To Follow Ordered Medical Diet

50. The plaintiff has a severe allergic reaction to corn products has he told the medical staff upon his arrival at W.C.C.F. The plaintiff had a order from C.M.C.F. Showing that he was to have no corn products on his tray.

51. There was an order done by Dr Burke before I was put on the nutrition support diet but every diet order had allergied to Corn or no corn products wrote on them But there is still being corn products placed on my tray.
(see Exhibits 2,3,7 &8)

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52. There is not enough nutrition on my trays to comply with the ordered diet. The corn products constantly being put on my tray and when there not put on the tray I get nothing to substitute for the corn products. This causing me not to get the ordered amount of calories.

53. The trays do not have the adequate amount of food on them. Nor do I get everything that is on the menu that is suppose to cover the amount of protein, nutrition and calories that I'm suppose to have. I'm to receive everything on the menu with the proper portion of food being served. (See Exhibits 2,3,7,8,9, & 10)

54. The staff does not monitor the feeding of the plaintiff or other inmates. The tray cart is rolled on the zone and floorwalkers pass the trays out. So when the plaintiff diet tray is not on the cart or not correct (has corn products on it) the plaintiff has no way to send it back to get it fixed so he has to miss portions of his meal or the whole

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if corn products seem to have touched other food on the tray. This also causing me stomach pains from hunger and weight loss.

IV Drug Testing

55. The plaintiff has been drug tested numerous times here at WCCF. Defendant Sgt. Joseph Hall does' not follow MDOC policy when it comes to doing the drug test. By him not following policy it has caused the plaintiff to get several RVR's (See Exhibits 11-13)

56. According to policy when an offender can't produce urine he is suppose to be detained for up to 4 hours. After he has been detained for 4 hours if the offender still can't produce urine he then receives a RVR for refusing to submit to a drug test (See Exhibit # 14)

57. Defendant Joseph Hall has wrote me several RVRs for refusing to submit to a drug test, when I wasn't

refusing, I just couldnt produce urine on command and asked Hall each time to either detain me or come back and test me. He always refuses and just wakes me up for refusing. This causing me to be placed on restriction and keeping me in C-custody. If it wasnt for the RVR's for Hall not following policy I would have my B-custody pants and not be on restrictions.

58. I filed about Hall not following policy through the ARP process and Defendant Vannay said that Hall was following policy according to Hall's Statement. But Camera's and other statements from other inmates clearly shows that policy is not being followed. (See Exhibit # 15)

X Denial of Due Process

59. The plaintiff has been denied his right to Due Process at each and every disciplinary hearing he has had since being housed at W.C.C.F. all because WCCF staff and defendants refuse to follow

policy. If they would follow policy like they should these violations wouldnt occur

60. According to policy a RVR is to be wrote and served on the offender within 24 hours of the time of the violations. The delivering employee will document the offenders request for investigation, list witnesses on the RVR and indicate whether the offender wants his hearing.

61. Policy also states that when a RVR is reported the disciplinary investigator will begin the investigation within 24 hours of the same time the rule violation is reported and complete it without reasonable delay.

62. The investigator will be neutral and unbiased in conducting interviews gathering information, in seeking the truth, the investigator will interview the accused and any other persons considered having pertinent information, the investigator will provide factual information, have access to all information, and

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will receive cooperation from all personnel. Any staff member called as a witness will not refuse to give a statement.

63. Policy states that the offender charged with a RVR will be allowed to present documentary evidence and call defense witnesses

64. Policy states that disciplinary hearings are conducted by an impartial person or panel of persons, the hearing officer will hear all pertinent information surrounding an alleged rule violation, will question the accused offender, witnesses and any other person appearing at the hearing.

65. Policy, procedure, and practice provide that inmates have an opportunity to make a statement, present documentary evidence and request witnesses.

66. Policy, procedure, and practice provide that the disciplinary committee's decision is based solely on information obtained in the hearing process, including

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staff reports, the statements of the inmate charged, and evidence derived from witnesses and documents.

67. Written policy, procedure, and practice provide for review of all disciplinary hearings and dispositions by the warden, superintendent or designee to assure conformity with policy and regulations (See Exhibit # 16)

68. If these policies would have been followed the plaintiff would not have been found guilty of the RVR's and would not be punished for the failure of defendants not following policy.

69. The plaintiff requested witnesses and they were not called to the hearing or allowed to give a statement on the plaintiff's behalf. One of them being a correctional officer. (See Exhibits 11, 12, 13, 17 + 18)

70. There was no full investigation done. If there would have been it would have proved that defendant Hall didn't follow policy and that the RVR was bogus.

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71. Since policies were not followed the plaintiff was denied his Due Process rights. Thats the whole reason for policies is to keep inmates from having their constitutional rights violated.

XI Exhaustion of Administrative Remedies

72. The plaintiff has exhausted his administrative remedies with respect to all claims and all of the named defendants in this case. (See Exhibits 1, 4, 5, 7, 8, 15, 17, and 18)

XII Claims for Relief

73. The actions of defendants Middlebrooks, Vannoy, M.T.C., Dr. Burke, HSP Saint Julian, Vital Care Health Strategies, Revere, Castro, Day, Reese, Boyd, Taylor and Robinson in failing to get the plaintiff to his required medical appointments, the delay in seeing the plaintiff, ignoring his request, and not providing the plaintiff with adequate medical, mental health and dental care, constitutes deliberate indifference

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to the plaintiff's serious medical needs.

74. The actions of defendants Middlebrooks, VanNooy, M. T. C., DeRevere, Castro, Anthony, Day, Reese and Jane & John Does in denying the plaintiff to participate in Ramadan and practice his religion constitutes the denial of religion under the First Amendment of the United States Constitution. And under the Religious Land Use and Institutionalized Persons Act of 2000 (RLU IPA) U.S.C.S. § 2000cc to 2000 cc-5.

75. The actions of defendants Middlebrooks, VanNooy, M. T. C., DeRevere, Castro, Day, and Reese for denying the plaintiff a table, and chair in his cell causing him to suffer severe back and leg pain. Constitutes cruel and unusual punishment under the Eighth Amendment to the United States Constitution.

76. The actions of defendants Middlebrooks, VanNooy, M. T. C., DeRevere, Castro, Day, Reese, Dunmore, Hunt, Donnelly, Ossorio, and Jane & John Does for not

providing the plaintiff with adequate nutrition and failing to follow the prescribed diet of the doctor constitutes cruel and unusual punishment under the Eighth Amendment of the United States Constitution.

77. The actions of defendants Middlebrooks, Vannoy, M. T. C., DeRevere, Castro, Hall, Penndleton, Ware, and Jane and John Does for not following policy during drug testing, and disciplinary proceedings constitutes cruel and unusual punishment and denial of Due Process under the Eighth and Fourteenth Amendments of the United States Constitution.

XIII Relief Requested

Wherefore, plaintiff requests that the court grant the following relief:

A. Issue a declaratory judgment stating that:

1. The denial of adequate medical, mental, and dental care from defendants Middlebrooks, VANNOY, M.T.C. DeRevere, Castro, Burke, Julian, Robinson, Taylor, Vital Core, Boyd, Day and Reese violated and continue to violate, the plaintiff's rights under the Eighth Amendment of the United States Constitution.
2. The denial of defendants Middlebrooks, VANNOY, M.T.C., DeRevere, Castro, Day and Reese for not providing the plaintiff with a table and chair. Violated the plaintiff's and continue to violate the plaintiff's Constitutional rights under the Eighth Amendment of the United States.
3. The denial of defendants Middlebrooks, VANNOY, M.T.C., DeRevere, Castro, Anthony, and Jane and John Does for not allowing the plaintiff to participate in RAMADAN or practice his religion violated and continues to violate the plaintiff's First Amendment Right under the United States Constitution.

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4. That defendants Middlebrooks, Vannoy, MITC, DeRovere, Castro, Pendleton, Ware, and Hall for not following policy and not allowing plaintiff to call witnesses or do a thorough investigation and have a fair hearing at his disciplinary hearings violated and continue to violate the plaintiff's Eighth and Fourteenth amendment of cruel and unusual punishment and Due Process rights of the United States Constitution.

B. Issue an injunction ordering defendants, or their agents to:

1. Immediately arrange for the plaintiff to been seen by a orthopedic specialist for the removal of the steel rod and pins in his left leg.
2. Carry out without delay the treatment directed by such medical practitioner.
3. Provide plaintiff with adequate and timely medical

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mental health and dental care.

4. Order the defendants to install tables and chairs in the cells for the plaintiff.
5. Order defendants to expunge all RVR's since arriving at W.C.C.F. from the plaintiff's institutional record.
6. Order defendants to follow policy when taking urine or drug test and all disciplinary proceedings to avoid further constitutional violations.
7. Order defendants to allow plaintiff to participate in all upcoming RAMADAN, Taleem, and Jumah services and practice his religion freely.
8. Immediately order defendants to provide plaintiff with adequate nutrition and follow the plaintiff's medical ordered diet. And quit putting corn products on the plaintiff's trays.

C. Award compensatory damages in the following amounts:

1. \$50,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., Dr. Burke, Julian, Vital Core, DeRevere, Castro, Taylor, Robinson, Boyd, Reese and Day for the physical and emotional pain and suffering for the delay, denial, and ignoring the plaintiff's serious medical needs
2. \$25,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Anthony, Day, Reese, and Jane + John Does for the denial of not letting the plaintiff participate in Ramadan and practice his religion, which caused physical and emotional pain to the plaintiff
3. \$5,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Day, and Reese for the physical and emotional pain sustained to plaintiff for not having a table or chair in cell

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4. \$25,000⁰⁰ jointly and severally against defendants Middlebrooks, VANNOY, M.T.C., DeRevere, Castro, Day, Reese, Dunmore, Hunt, Donnelly, Ossorio, and Jane & John Does for the physical and emotional pain and suffering the plaintiff suffered from the denial of providing the plaintiff with adequate nutrition and not following his prescribed medical diet.

5. \$10,000⁰⁰ jointly and severally against defendants Middlebrooks, VANNOY, M.T.C., DeRevere, Castro, Halls, Pendleton, Ware and Jane & John Does for the punishment, including deprivation of privileges, liberty and amenity, and emotional injury resulting from their denial of due process in connection with the plaintiff's RVR's and disciplinary proceedings.

D. Award punitive damages in the following amounts:

1. \$10,000⁰⁰ each against defendants Middlebrooks, VANNOY, M.T.C., DeRevere, Dr. Burke, Julian, Vital Core, Castro, Taylor, Robinson, Boyd, Reese and Day.

2. \$2,500⁰⁰ each against defendants Pendletons Ware,
Hall

3. \$5,000⁰⁰ each against defendant Anthony, Jane and
John Does.

E. Grant such other relief as it may appear that
plaintiff is entitled.

~~XIV~~ Verification

78. I have read the foregoing complaint and
hereby verify that the matters alleged therein
are true and correct, except as to matters alleged
on information and belief, and, as to those, I believe
them to be true.

Pursuant to 28 U.S.C. § 1746, I, Jason Holloway
declare under the penalty of perjury that the
foregoing is true and correct.

Jason Holloway # M0998

W.C.C.F. E-207

P.O. Box 1889
Woodville, MS 39669

Respectfully Submitted,
Jason Holloway
Jason Holloway, pro se
5-13-22

Exhibit # 1

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-348

SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Jason Holloway #M0998
Location: Wilkinson County Correctional Facility

From: J. Burks
Title: Doctor

You were seen by me 6/16/21
I hope all your questions and
concerns were addressed


Signature

7/1/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program and is eligible to seek
judicial review within 30 days of receipt of the Second Step Response.


Inmate's Signature

M0998
DOC #

7-2-21
Date

Exhibit #2

COPY

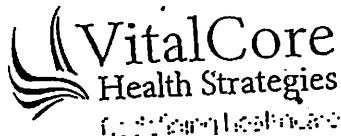
Medical Restricted Diet Order Form

Name: Jason Holloway ID # MO998
 Housing Location: E 204
 Start Date: 6/16/21 Expiration/Termination Date: 6/16/22

DIET ORDER: (Check ONLY ONE diet at a time)

 Dental Mechanical (liberal texture modification; chewing problems) Pregnancy/Nutrition Support Low Salt/Low Fat Diabetic Diet with HS snack No Concentrated Sugars Diet Full Liquid Diet (5-day max) Clear Liquid Diet (3-day max) Long Term Full-Liquid Diet Bland (no spice, onion, tomato, pepper) Other, Please describe dietary needs ALLERGYED to CoenComments: HBulkeApproved By (Medical or Dental Signature): HBulkeName/Position: MMReceived In Food Service: _____
(Enter Time and Date)Received by: _____
(Food Service Staff Signature)

Exhibit #3



Form #121

Revised: 3-30-2020

MEDICAL DIET ORDER FORM

FACILITY: VITALCORE

3/18/22

DIET START DATE

NAME: Hawcooky Jason
 Last: First: MI: MI
 ID#: 110998
 DOB: 5/28/78 MALE FEMALE

3/18/22

DIET START DATE

Check one Diet Order Below
 Please contact the Regional Dietitian if a diet is needed which is not on the standard list below.

Clear Liquid (Limit 3 Days)	Diabetic- Consistent Carbohydrate (No HS Snack)
Full Liquid.(Limit 3 Days)	Diabetic- Consistent Carbohydrate (Includes HS Snack)
Full Liquid (Long Term)	Insulin Dependent Diabetic - 1800 Calorie
Enhanced Calorie/ Protein	Insulin Dependent Diabetic - 2500 Calorie
Lower Fat/ Cholesterol/ Sodium	Renal Disease (Dialysis)
Higher Fiber	Renal Disease (Non-Dialysis)
Gluten Free	Dental Mechanical
Low Lactose	Other: <u>Allergies - NO COBNS</u>

SIGNATURES

Medical Authorization for Diet Order: YES NOOrdered-By: BrakkeDate: 3/18/22

Received In Food Department By

Date

Exhibit #4

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-469
SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Jason Holloway #M0998
Location: Wilkinson County Correctional Facility

From: S. Middlebrooks
Title: Warden

In response to your ARP claim. In reference to you requesting to see the IMAM and be given the right to practice your religion/receive the special trays that are given when Ramadan is complete. The information gathered reveals according to Chaplin Anthony he does not have a change of religion form on file for you, so you need to update your change of religion form showing your religion as Muslim and submit it to Chaplin Department. I consider this matter resolved at this level.


Signature

7/14/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.


Inmate's Signature

M0998

DOC #

7-14-21
Date

Exhibit #5

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-807

SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Jason Holloway #M0998
Location: Wilkinson County Correctional Facility

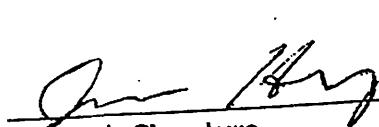
From: D. Vannoy
Title: Warden

In response to your ARP claim. In reference to a chair and table installed in your cell. No table will be installed in the cells. You can receive a chair only if you have a medical order from the Doctor stating you need a chair. I consider this matter resolved at this level.


Signature

12/31/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.


Inmate's Signature

M0998

DOC #

1-5-22
Date

Exhibit #6

COPY

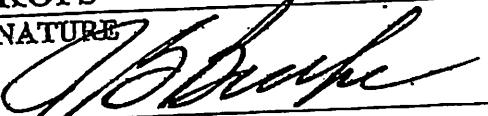
WILKINSON COUNTY CORRECTIONAL FACILITY MEDICAL PASS	
NAME:	Holloway, Jason MDOC # 110998
RX:	Chair for cell
DIET:	
() LAY-IN	EXP. DATE
() CUTHCES	EXP. DATE
() VITAL SIGNS	EXP. DATE
() OTHER	EXP. DATE
() ACE	EXP. DATE
() SPLINT	EXP. DATE
() KOPS'	EXP. DATE
SIGNATURE	DATE
 3/18/22	

Exhibit # 7

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-225
SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: **Jason Holloway #M0998**

Location: **Wilkinson County Correctional Facility**

From: **S. Middlebrooks**

Title: **Warden**

In response to your ARP claim. In reference to you requesting to be served the correct diet that was ordered with no corn products and to receive a snack bag. According to Food Service Dunmore you are receiving the correct diet tray and your Medical Diet Order Form was revised on 3/1/2021 in which you received a copy with your first step response with no snack bag ordered. I find this matter resolved at this level.



Signature

5/1/21

Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.



Inmate's Signature

M0998

DOC #

5-5-21

Date

Exhibit #8

MISSISSIPPI DEPARTMENT OF CORRECTIONS Administrative Remedy Program

WCCF-22-63

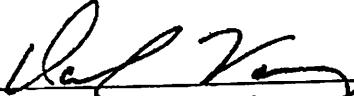
SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Jason Holloway #m0998
Location: Wilkinson County Correctional Facility

From: D. Vannoy
Title: Warden

In response to your ARP claim. In reference to you requesting your food tray be fixed to Doctors orders, extra food with no corn products. The information gathered reveals you stated in your original complaint you were not receiving a sandwich at last meal served. You also stated corn products are continuing to be placed on your tray. According to Ms. Hunt you receive your sandwich with your dinner and no corn product is being placed on your tray. You Inmate Jason Holloway #M0998 also stated you were receiving your sandwich. I consider this matter resolved at this level.

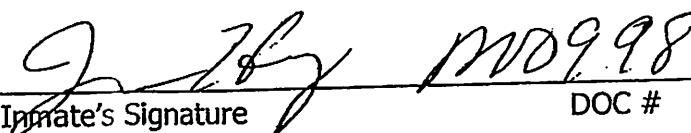


Signature

3/18/22

Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.


DOC #

Inmate's Signature

3-22-22

Date

Trinity Services Group		MTC Mississippi Units revised 2021		Regular		Wednesday	
Thursday		Friday		Saturday		Sunday	
Breakfast	St						
Oatmeal w/ Brown Sugar	1 Cup	Grits w/ Sugar & Margarine	1 Cup	Oatmeal w/ Brown Sugar	1 Cup	Grits w/ Sugar & Margarine	1 Cup
French Toast Batter	2 Each	Egg Patty	3 WZ	Oatmeal w/ Brown Sugar	1 Cup	Margarine	1 Cup
Syrup	1/4 Cup	Hash Brown Potatoes	3/4 Cup	Pancakes 4"	3 Each	Breakfast Meat Gravy	1 Cup
Breakfast Sausage	2 WZ	Biscuit	2 Each 1/54	Hash Brown Potatoes	3/4 Cup	Hash Brown Potatoes	3/4 Cup
Margarine w/ VIt A#	1 Tbsp	Cut		Biscuit	2 Each 1/54	Biscuit	2 Each 1
Milk	1 Cup	Jelly	1 Tbsp	Breakfast Sausage	2 WZ	Cut	
Pepper PC	1 Each	Margarine w/ VIt A#	1 Each	Syrup	1 Tbsp	Margarine w/ VIt A#	1 Tbsp
Salt PC	1 Each	Dairy Drink PC	1 Each	Margarine w/ VIt A#	1 Each	Milk	1 Cup
		Pepper PC	1 Each	Dairy Drink PC	1 Each	Pepper PC	1 Each
		Salt PC	1 Each	Pepper PC	1 Each	Salt PC	1 Each
				Salt PC	1 Each	Salt PC	1 Each
Lunch	St						
Turkey Stir-Fry	3/4 Cup	Stew Gr. & Chili	1 1/4 Cup	Salisbury Patty	3 Ounce	Chili Mac Casserole	1 1/4 Cup
Rice	1 Cup	Rice Crocied	1 Cup	Patty	1/4 Cup	Enriched Bread	2 slice
Peas	1/2 Cup	Peas & C &rots	1/2 Cup	Brown Gravy	1/4 Cup	Chili with Beans	1/2 Cup
Roll	1/2 Cup	Cornbread	1/54 Slice	Mashed Potatoes	1 Cup	Shredded Cheese	1/2 WZ
Margarine w/ VIt A#	1 Tbsp	Margarine w/ VIt A#	1 Tbsp	Corn	1/2 Cup	Sauces Salsa	2 WZ
Glazed Cake	1/54 Cup	Cookies	2 Each	Roll	1/2 Cup	Tortilla Chips	1 WZ
Fruit Drink with VIt C	1 Each	Fruit Drink with VIt C	1 Each	Margarine w/ VIt A#	1 Tbsp	Rice and Beans	1 Cup
Pepper PC	1 Each	Glazed Cake	1/54 Slice	Pepper PC	1 Each	Fruit	1/2 Cup
Salt PC	1 Each	Fruit Drink with VIt C	1 Each	Salt PC	1 Each	Glazed Cake	1/54 Slice
		Pepper PC	1 Each	Pepper PC	1 Each	Fruit Drink with VIt C	1 Each
		Salt PC	1 Each	Salt PC	1 Each	Pepper PC	1 Each
				Salt PC	1 Each	Salt PC	1 Each
Dinner	St						
Meat Sauce	3/4 Cup	Pizza (PGK-Real-PC)	1 1/16 Slice	T Ham	3 WZ	Sliced Turkey	3 WZ
Pasta Noodles	1 Cup	Corn	1/2 Cup	Stew	3 WZ	Poultry Gravy	1/4 Cup
Green Beans	1/2 Cup	Pasta Salad	1/2 Cup	Red Beans	3/4 Cup	Mashed Potatoes	1 Cup
Roll	1 Each	Pudding	1/2 Cup	Rice	1 Cup	Cornbread	1/54 Slice
Margarine w/ VIt A#	1 Tbsp	Fruit Drink with VIt C	1 Each	Washed Potatoes	1 Cup	Margarine w/ VIt A#	1 Tbsp
Glazed Cake	1/54 Slice	Pepper PC	1 Each	Fried Cabbage	1/2 Cup	Glazed Cake	1/54 Cup
Fruit Drink with VIt C	1 Each	Pepper PC	1 Each	Biscuit	1 Each 1/54	Fruit Drink with VIt C	1 Each
Pepper PC	1 Each	Margarine w/ VIt A#	1 Tbsp	Margarine w/ VIt A#	1 Tbsp	Margarine w/ VIt A#	1 Tbsp
Canned Fruit	1/2 Cup	Salt PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
Fruit Drink with VIt C	1 Each	Pepper PC	1 Each	Salt PC	1 Each	Salt PC	1 Each
Pepper PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Fruit	1 Each
Salt PC	1 Each					Fruit Drink with VIt C	1 Each
						Pepper PC	1 Each
						Salt PC	1 Each

Exhibit # 9

MTC Mississippi Units revised 2021

Regular

Wednesday

Thursday

Saturday

Sunday

Monday

Tuesday

Week 2

Trinity Services Group		Friday		Saturday		Sunday		Monday		Tuesday		Wednesday	
Breakfast		Thursday		Saturday		Sunday		Monday		Tuesday		Wednesday	
Oatmeal w/ Brown Sugar	1 Cup	Grits w/ Sugar & Margarine	1 Cup	Cold Cereal	1 Cup	Grits w/Sugar & Margarine	1 Cup	Oatmeal w/ Brown Sugar	1 Cup	Grits w/Sugar & Margarine	1 Cup	Oatmeal w/ Brown Sugar	1 Cup
Pancakes 4"	3 Each	Breakfast Meat Gravy	1 Cup	Egg Patty	3 WZ	Margarine 4"	3 Each	Fried T Ham	1 WZ	French Toast Bake	2 Each	Egg Party	3 WZ
Syrup	1/4 Cup	Hash Brown Potatoes	3/4 Cup	Pantakes 4"	3 Each	Hash Brown Potatoes	3/4 Cup	Hash Brown Potatoes	3/4 Cup	French Toast Bake	2 Each	Hash Brown Potatoes	3/4 Cup
Fried T Ham	1 WZ	Biscuit	1 Each 1/54 Cut	Breakfast Sausage	1/4 Cup	Coffee Cake	1/4 Cup	Breakfast Sausage	2 WZ	French Toast Bake	2 Each	Coffee Cake	1/4 Cup
Margarine w/Vit A#	1 Tbsp	Jelly	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp
Dairy Drink PC	1 Each	Margarine w/Vit A#	1 Each	Dairy Drink PC	1 Each	Dairy Drink PC	1 Each	Margarine w/Vit A#	1 Cup	Dairy Drink PC	1 Each	Dairy Drink PC	1 Each
Pepper PC	1 Each	Milk	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Milk	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
Salt PC	1 Each	Pepper	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each
Lunch		Thursday		Saturday		Sunday		Monday		Tuesday		Wednesday	
Chili	1 Cup	Turkey Ham	3 Ounce	Burrito Filling	3/4 Cup	T Ham	3 WZ	Turkey Ala King	3/4 Cup	T Hot Dog	2 Each	Sloppy Joe	1/2 Cup
Rice	1 Cup	Enriched Bread	2 Slice	Spanish Rice	1 Cup	Red Beans	3/4 Cup	Rice	1 Cup	Roll	1 Each	Hamburger Bun	1 Each
Green Beans	1/2 Cup	Dressing & Salad	1 Tbsp	Corn	1/2 Cup	Green Beans	1/2 Cup	Baked Beans	1 Cup	Baked Beans	1 Cup	Oven Brown Potatoes	1 Cup
Cornbread	1/54 Slice	Peas	1/2 Cup	Shredded Cheese	1 WZ	Fried Cabbage	1/2 Cup	Biscuit	1 Cup	Mixed Vegetables	1/2 Cup	Mixed Vegetables	1/2 Cup
Margarine w/Vit A#	1 Tbsp	Macaroni Salad	1 Cup	Cornbread	1/54 Slice	Cornbread	1/54 Slice	Cut	1 Tbsp	Ketchup	1 Tbsp	Ketchup	1 Tbsp
Canned Fruit	1/2 Cup	Glazed Cake	1/54 Slice	Oatmeal Cookie	2 Each	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Glazed Cake	1/54 Slice	Glazed Cake	1/54 Slice
Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Cookies	2 Each	Fruit	1 Each	Fruit	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each
Pepper PC	1 Each	Pepper PC	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each
Dinner		Thursday		Saturday		Sunday		Monday		Tuesday		Wednesday	
Burger Party	3 Ounce	Turkey Sausage	3 WZ	Shepherd's Pie	1 1/4 Cup	Ground Meat	3/4 Cup	Baked Chicken	1 Each	Macaroni Goulash	1-1/4	Macaroni Goulash	1-1/4
Patty	1 Tbsp	Sausage	1 Tbsp	Green Beans	1/2 Cup	Meatloaf	3 Ounce	Quarter	1 Each	Corn	1/2 Cup	Corn	1/2 Cup
Ketchup	1 Cup	Mustard	1 Tbsp	Brown Gravy	1/4 Cup	Stroganoff	1 Cup	Rice Pilaf	1 Cup	Biscuit	1 Each	Biscuit	1 Each
Fried Potatoes	1/2 Cup	Baked Beans	1 Cup	Mashed Potatoes	1 Cup	Herbed Pasta	1 Cup	Fried Cabbage	1/2 Cup	Cut	1 Each	Cut	1 Each
Mixed Vegetable	1 Each	TSG Hoagie Roll 3 WZ	1 Each	Mashed Potatoes	1 Cup	Mixed Vegetables	1/2 Cup	Cornbread	1/54 Slice	Margarine w/Vit A#	1 Tbs	Margarine w/Vit A#	1 Tbs
Hamburger Bun	1/54 Cup	Fruit	1 Each	Blackeyed Peas	1/2 Cup	Roll	1 Each	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp
Brownie	1 Each	Pepper PC	1 Each	Pudding	1/2 Cup	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Fruit	1 Each	Fruit	1 Each
Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit	1 Each	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Glazed Cake	1/54 Cut	Glazed Cake	1/54 Cut
Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pudding	1/2 Cup	Pudding	1/2 Cup	Fruit	1 Each	Fruit	1 Each
Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
Approval Date		12/28/2020		Dietary Consultant		Laura Donnelly, R.D.		Page		2		of 4	

MTC Mississippi Units revised 2021

Regular

Trinity Services Group		Friday		Saturday		Sunday		Monday		Tuesday		Wednesday	
Thursday		Breakfast		Lunch		Dinner		Breakfast		Lunch		Dinner	
Grits w/Sugar & Margarine	1 Cup	Oatmeal w/ Brown Sugar	1 Cup	Grits w/Sugar & Margarine	1 Cup	Grits w/Sugar & Margarine	1 Cup	Oatmeal w/ Brown Sugar	1 Cup	Grits w/Sugar & Margarine	1 Cup	Grits w/Sugar & Margarine	1 Cup
Pancakes 4"	3 Each	Hash Brown Potatoes	2 Wz	Breakfast Meat Gravy	1 Cup	French Toast Bake	2 Each	French Toast Bake	1/4 Cup	French Toast Bake	1/4 Cup	French Toast Bake	1/4 Cup
Syrup	1/4 Cup	Biscuit	3/4 Cup	Hash Brown Potatoes	3/4 Cup	Syrup	2 Each	Breakfast Sausage	3/4 Cup	Syrup	2 Wz	Breakfast Sausage	2 Wz
Fried T Bologna	1 Wz		1 Each 1/54	Biscuit	Cut	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Cup	Margarine w/Vit A#	1 Cup
Margarine w/Vit A#	1 Tbsp	Jelly	1 Tbsp	Margarine w/Vit A#	1 Each	Margarine w/Vit A#	1 Each	Fruit Drink PC	1 Tbsp	Margarine w/Vit A#	1 Each	Margarine w/Vit A#	1 Each
Dairy Drink PC	1 Each	Margarine w/Vit A#	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
Pepper PC	1 Each	Milk	1 Cup	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each
Salt PC	1 Each	Salt PC	1 Each										
Lunch		Turkey & Razzini	3/4 Cup	Stew	1 1/4 Cup	Stroganoff Casserole	1 1/4 Cup	Peanut Butter	2 Wz	Chili Mac Casserole	1 1/4 Cup	Turkey Sauce (pot pie)	1 1/4 Cup
Burger Patty	3 Ounce	Rice	1 Cup	Mixed Vegetables	1/2 Cup	Green Beans	1/2 Cup	Corn	2 FZ	Green Beans	1/2 Cup	Green Beans	1/2 Cup
Patty	1 Slice	Fried Cabbage	1/2 Cup	Roll	1 Each	Enriched Bread	4 Slices	Cornbread	1/54 Slice	Enriched Bread	1 Each	Enriched Bread	1 Each
Sliced Cheese	1 Each	Roll	1 Each	Margarine w/Vit A#	1 Tbsp	Macaroni Salad	1 Cup	Macaroni	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp
Hamburger Bun	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Glazed Cake	1/54 Cut	Glazed Cake	1/54 Cut	Cookies	2 Each	Glazed Cake	1/54 Cut	Glazed Cake	1/54 Cut
Mustard	1 Tbsp	Fruit	1 Each	Canned Fruit	1/2 Cup	Canned Fruit	1/2 Cup	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each
Dressing Salad	1 Cup	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
Ranch Beans	1/2 Cup	Pepper PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each
Pasta Salad	2 Each	Salt PC	1 Each										
Oatmeal Cookie	1 Each												
Fruit Drink with Vit C	1 Each												
Pepper PC	1 Each												
Salt PC	1 Each												
Dinner		Pizza (pct Real-CMC)	1/16 Slice	7 Ham	3 Wz	Chicken Teriyaki	3/4 Cup	Meatloaf	3 Ounce	Turkey Stir Fry	3/4 Cup	Jambalaya	1 1/4
Creole Turkey Mac	1/4 Cup	Green Beans	1/2 Cup	Pho Beans	1 Cup	Rice	1 Cup	Patty	1/4 Cup	Rice	1 Cup	Mixed Vegetables	1/2 C
Peas & Carrots	1/2 Cup	Italian Pasta Salad	1 Cup	Fried Cabbage	1/54 Slice	Carrots (Vit A)	1/2 Cup	Brown Gravy	1/4 Cup	Pasta	1/2 Cup	Red Beans	1/2 C
Cornbread	1/54 Slice	Cookies	2 Each	Cornbread	1 Tbsp	Cornbread	1 Cup	Pasta	1 Each 1/54	Cornbread	1/54	Oatmeal Cookie	1/54
Margarine w/Vit A#	1 Tbsp	Fruit Drink with Vit C	1 Each	Margarine w/Vit A#	1 Tbsp	Mashed Potatoes	1/2 Cup	Biscuit	1/2 Cup	Margarine w/Vit A#	1 Tbsp	Fruit Drink with Vit C	1 Each
Glazed Cake	1/54 Slice	Pepper PC	1 Each	Glazed Cake	1/54 Slice	Fried Cabbage	1 Each	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp
Fruit Drink with Vit C	1 Each	Salt PC	1 Each	Fruit	1 Each	Glazed Cake	1 Each	Glazed Cake	1 Each	Glazed Cake	1 Each	Glazed Cake	1 Each
Pepper PC	1 Each	Salt PC	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each
Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each

MTC Mississippi Units revised 2021

Regular

Wednesday

Trinity Services Group		Friday		Saturday		Sunday		Monday		Tuesday		Wednesday	
Breakfast		Oatmeal w/ Brown Sugar Pancakes 4"	1 Cup	Margarine EGG Patty	1 Cup	Oatmeal w/ Brown Sugar	1 Cup	Cold Cereal Breakfast Meat Gravy	1 Cup	Oatmeal w/ Brown Sugar Pancakes 4"	1 Cup	Grits w/Sugar & Margarine	1 Cup
Oatmeal w/ Brown Sugar Pancakes 4"	1 Cup	3 Each	1/4 Cup	Hash Brown Potatoes	3 WZ	Cinnamon Roll TSG	4 oz.	Hash Brown Potatoes	3/4 Cup	Breakfast Sausage	2 Wz	Breakfast Sausage	2 Wz
Syrup	2 Wz	1/4 Cup	Coffee Latte	1 1/54 Slice	Milk Glazed	1/4 Cup	Coffee Cake	1/54 Cut	Hash Brown Potatoes	2 Each 1/54 Cut	Hash Brown Potatoes	3/4 Cup	
Breakfast Sausage	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Fried T Bolognib	1 WZ	Margarine w/Vit A#	1 Tbsp	Biscuit	1/4 Cup	Fried T Bologna	1 WZ	Margarine w/Vit A#	1 Each 1/54 Cut
Margarine w/Vit A#	1 Tbsp	Dairy Drink PC	1 Each	Dairy Drink PC	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	Cut
Milk	1 Cup	Pepper PC	1 Each	Pepper PC	1 Each	Dairy Drink PC	1 Each	Milk	1 Cup	Pepper PC	1 Each	Pepper PC	1 Each
Pepper PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Salt PC	1 Each	Milk	1 Cup
Salt PC	1 Each					Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each
Lunch		Stew	1 1/4 Cup	T Ham	3 WZ	T Hot Dog	2 Each	Cheeseburger	1 1/4 Cup	Sloppy Joe	1/2 Cup	Turkey Tetrazzini	3/4 Cup
Meat Sauce	3/4 Cup	Rice	1 Cup	Red Beans	3/4 Cup	Roll	1 Each	Casserole	1 1/4 Cup	Hamburger Bun	1 Each	Rice	1 Cup
Pasta Noodles	1 Cup	Green Beans	1/2 Cup	Rice	1 Cup	Fried Potatoes	1 Cup	Mixed Vegetables	1/2 Cup	Potato Salad	1 Cup	Green Beans	1/2 Cup
Corn	1/2 Cup	Roll	1 Each	Seasoned Cabbage	1/2 Cup	Ketchup	1 Tbsp	Biscuit	1 Each 1/54 Cut	Red Beans	1/2 Cup	Cornbread	1/54 Cut
Roll	1 Each	Margarine w/Vit A#	1 Tbsp	Cornbread	1/54 Slice	Baked Beans	1 Cup	Margarine w/Vit A#	1 Tbsp	Glazed Cake	1/54 Cut	Margarine w/Vit A#	1 Each
Margarine w/Vit A#	1 Tbsp	Glazed Cake	1 Each	Oatmeal Cookie	2 Each	Fruit	1 Each	Fruit	1 Each	Fruit Drink with Vit C	1 Each	Fruit	1 Each
Fruit	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1/2 Cup	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Salt PC	1 Each	Fruit Drink with Vit C	1 Each
Pepper PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each
Dinner		Turkey Smoked Sausage	3 WZ	Sliced Turkey	3 WZ	Mashed Potatoes	1/2 Cup	Meatloaf	3/4 Cup	Chili	1/4 Cup	Macaroni Goulash	1-1/2 Cup
Burger Patty	3 Ounce	Au Gratin Potatoes	1 Cup	Poultry Gravy	1/4 Cup	Carrots (Vit A)	1/2 Cup	Rice	1 Cup	Rice	1/2 Cup	Carrots (Vit A)	1-1/2 Cup
Hash Brown Potatoes	1 Cup	Fried Cabbage	1/2 Cup	Mashed Potatoes	1 Cup	Carrots (Vit A)	1/2 Cup	Cornbread	1/2 Cup	Corn	1/2 Cup	Carrots (Vit A)	1-1/2 Cup
Carrots (Vit A)	1/2 Cup	Mustard	1 Tbsp	Carrots (Vit A)	1 Each 1/54 Cut	Biscuit	1 Each	Margarine w/Vit A#	1/54 Slice	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Each
Hamburger Bun	1 Each	Hoagie Roll	1 Each	Hoagie Roll	1 Tbsp	Peas & Carrots	1/2 Cup	Glazed Cake	2 Each	Cookies	2 Each	Glazed Cake	1 Each
Ketchup	1 Tbsp	Canned Fruit	1/2 Cup	Canned Fruit	1/2 Cup	Peas & Carrots	1 Each	Fruit	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each
Brownie	1/54 Cut	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each
Pepper PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each

Dana Donnelly, R.D.

MTC Standard Menu Cycle - Mississippi Correctional Facilities

December 1, 2021 - November 31, 2022

Exhibit # 10

CYCLE #4 <--CURRENT CYCLE		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
MONDAY <--DAY OF THE WEEK		Dietitian/Reg-License #: D2185 Date: 12/1/21	
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			
Oatmeal	8 oz	Oatmeal LFNS	8 oz
Sausage (Non-Pork)	2 oz	Sausage (Non-Pork)	2 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Wheat Toast	2 ea
Cinnamon Roll	1 ea	Coffee	8 oz
Coffee	8 oz	Milk (1%)	8 oz
Milk (1%)	2 ea	Sugar Substitute	2 ea
Sugar Substitute	1 pat	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Margarine			
LUNCH:			
Salsbury Steak w/Sauteed Onions	3 oz / 1 oz	Lean Hamburger Pattie w/Sauteed Onions LFNS	3 oz / 1 oz
Brown Gravy	2 oz	Green Beans LFNS	4 oz
Green Beans	4 oz	Potatoes LFNS	4 oz
Potatoes	4 oz	Beans LFNS	4 oz
Beans	4 oz	Wheat Bread	1 ea
Buttered Cornbread	1 ea	Tea/Water	8 oz
Tea/Water	8 oz		
DINNER:			
Turkey Hot Dogs w/chili	2 ea / 2 oz	Lean Chicken Pattie LFNS	3 oz
Mac 'n Cheese	4 oz	Mac 'n Cheese LFNS	4 oz
Broccoli	4 oz	Broccoli LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Bread	2 ea	Wheat Bread	2 ea
Mustard/Relish/Onions	2 oz	Punch	8 oz
Dessert	4 oz	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Punch	8 oz		
Total Meals:		HS Snack List	Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
CYCLE #4 <--CURRENT CYCLE		Dietitian/Reg-License #: D2185 Date: 12/1/21	
TUESDAY <--DAY OF THE WEEK		DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			
Dry Cereal	1.5 oz	Dry Cereal	1.5 oz
Sausage (Non-Pork)	2 ea	Eggs (Scrambled or each)	4 oz / 2 ea

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Buttered Biscuits	2 ea	Wheat Toast	2 ea
Sugar Substitute	2 ea	Sugar Substitute	2 ea
Milk (1%)	8 oz	Milk (1%)	8 oz
Coffee	8 oz	Coffee	8 oz
Jelly	2 oz	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea		
LUNCH:		Taco Salad	
Taco Salad	4 oz / 4 oz	Chili/Tortilla Chips	4 oz / 4 oz
Chili/Tortilla Chips	2 oz / 2 oz	Shredded Cheese/Salsa	2 oz / 2 oz
Shredded Cheese/Salsa	8 oz	Shred Lettuce	8 oz
Shred Lettuce	1 oz or 1 pkt	Sour Cream	1 oz or 1 pkt
Sour Cream	4 oz	Yellow Rice	4 oz
Yellow Rice	4 oz	Beans	4 oz
Beans	8 oz	Tea/Water	8 oz
Tea/Water			
DINNER:			
Corn Dogs (2)	6 oz	Lean Beef Pattie LFNS	3 oz
Potatoes	4 oz	Potatoes LFNS	4 oz
Cabbage	4 oz	Cabbage-LFNS	4 oz
Rice	4 oz	Rice	4 oz
Beans	4 oz	Beans	8 oz
Dessert	8 oz	Punch	4 oz / 1 ea
Punch		Fruit (Fresh)	
Total Meals		HS Snack List	Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
CYCLE #4 <-- CURRENT CYCLE			
WEDNESDAY <-- DAY OF THE WEEK		DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
REGULAR DIET	PORTION		
BREAKFAST:			
Grits	4 oz	Grits LFNS	4 oz
Sausage (Non-Pork)	2 ea	Eggs(Scrambled or each)	4 oz / 2 ea
Pancakes	2 ea	Pancakes	2 ea
Syrup	3 oz	Lite Syrup	3 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Coffee	8 oz
Coffee	8 oz	Milk (1%)	8 oz
Milk (1%)	8 oz	Sugar Substitute	2 ea
Sugar Substitute	2 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
LUNCH:			
Roasted Chicken	3 oz	Baked Chicken LFNS	3 oz

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Bread	2 ea	Wheat Bread	2 ea
Cabbage	4 oz	Cabbage LFNS	4 oz
Mix Vegetables	4 oz	Mixed Vegetables LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Tea/Water	8 oz	Tea/Water	8 oz
Margarine	1 pat		
DINNER:			
Philly Cheese Steak Sandwich with Cheese	3 oz/2 oz	Philly Cheese Steak Sandwich with Cheese	3 oz/2 oz
Bread w/ entrée		Bread w/ entrée	
Sauteed Onions & Peppers	2 oz	Sauteed Onions & Peppers	2 oz
Squash	4 oz	Squash LFNS	4 oz
Peas	4 oz	Peas LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Dessert	8 oz	Punch	8 oz
Punch		Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Total Meals		HS Snack List	Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
CYCLE #4 <-- CURRENT CYCLE		Dietitian/Reg-License #: D2185 Date: 12/1/21	
THURSDAY <-- DAY OF THE WEEK		DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
REGULAR DIET	PORTION		
BREAKFAST:			
Breakfast Tacos (flour tortillas) (scrambled eggs, meat, cheese)	2 ea / 2 ea	Breakfast Tacos (flour tortillas) (scrambled eggs, meat, cheese)	2 ea / 2 ea
Refried Beans	4 oz	Refried Beans	4 oz
Potatoes	4 oz	Potatoes LFNS	2 oz
Fresh Salsa	2 oz	Fresh Salsa	8 oz
Milk (1%).	8 oz	Milk (1%)	8 oz
Coffee	8 oz	Coffee	2 ea
Sugar Substitute	2 ea	Sugar Substitute	4 oz / 1 ea
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Fruit (Can, Frozen, Fresh)	
LUNCH:			
Beef Tacos (Soft or Hard)	2 oz. ea/2 ea	Beef Tacos (Soft or Hard)	2 oz. ea/2 ea
Bread w/ entrée		Bread w/ entrée	
Lettuce/Tomato/Onion/Cheese	2 oz.	Lettuce/Tomato/Onion/Cheese	2 oz.
Spanish Rice	4 oz	Spanish Rice LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Hominy	4 oz	Hominy LFNS	4 oz
Dessert	8 oz	Tea/Water	8 oz
Tea/Water			

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Spaghetti w/meat sauce	8 oz	Spaghetti w/meat sauce LFNS	3 oz
Beans	4 oz	Beans LFNS	4 oz
Broccoli	4 oz	Broccoli LFNS	4 oz
Carrots	4 oz	Carrots LFNS	4 oz
Garlic Toast	2 ea	Wheat Bread	2 ea
Punch	8 oz	Punch	8 oz
Fruit (Fresh)	4 oz / 1 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea

Total Meals	HS Snack List	Milk
Date		Protein
Subs Y-N		Bread
Mgr Initials		

CYCLE #4 <-- CURRENT CYCLE	Menus Approved By: Ellen Ossorio, MS, RD, LDN
FRIDAY <-- DAY OF THE WEEK	Dietitian/Reg-License #: D2185 Date: 12/1/21

REGULAR DIET	PORTION	DIET FOR HEALTH	PORTION
		LF=Low Fat, NS=No Salt, SF=Sugar Free	
BREAKFAST:			
Oatmeal	4 oz	Oatmeal LFNS	4 oz
Sausage (Non-Pork)	2 ea	Eggs (Scrambled or each)	4 oz / 2 ea
French Toast	2 ea	French Toast	2 ea
Milk (1%)	8 oz	Milk (1%)	8 oz
Coffee	8 oz	Coffee	8 oz
Sugar Substitute	2 ea	Sugar Substitute	2 ea
Syrup	2 oz	Sugar Free Syrup	2 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
LUNCH:			
Pizza	1 ea	Lean Chicken Pattie LFNS	3 oz
Fresh Salad	4 oz	Fresh Salad	4 oz
Potatoes	4 oz	Potatoes LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Dessert	1 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Tea/Water	8 oz	Wheat Bread	2 ea
		Tea/Water	8 oz
DINNER:			
Chicken Stir Fry w/rice	8 oz	Chicken Stir Fry w/rice LFNS	8 oz
Cabbage	4 oz	Cabbage LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Cornbread	1 ea	Cornbread	1 ea
Dessert	4 oz	Punch	8 oz
Punch	8 oz	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Total Meals			

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Date	HS Snack List		Milk
Subs Y-N			Protein
Mgr Initials			Bread
CYCLE #4 <--CURRENT CYCLE			Menus Approved By: Ellen Ossorio, MS, RD, LDN
SATURDAY <--DAY OF THE WEEK			Dietitian/Reg-License #: D2185 Date: 12/1/21
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			
Dry Cereal	1.5 oz	Dry Cereal	1.5 oz
Meat Gravy	4 oz	Eggs (Scrambled or each)	4 oz / 2 ea
Buttered Biscuits	2 ea	Wheat Toast	2 ea
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Milk (1%)	8 oz
Milk (1%)	8 oz	Coffee	8 oz
Coffee	8 oz	Sugar Substitute	2 ea
Sugar Substitute	2 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Jelly	2 oz		
LUNCH:			
Beef Enchiladas (Casserole or Rolled)	8 oz / 2 ea	Lean Beef-Patty NS.	3 oz
Bread w/ entrée	4 oz	Dinner Salad	4 oz
Dinner Salad	4 oz	Beans LFNS	4 oz
Beans	4 oz	Corn LFNS	4 oz
Corn	2 oz	Salad Dressing	2 oz
Salad Dressing	4 oz	Wheat Bread	2 ea
Dessert	8 oz	Tea/Water	8 oz
Tea/Water			
DINNER:			
(2) Cold Cut Sandwiches (2 oz. meat ea.)	2 oz. ea/2 ea	(2) Turkey Sandwiches (2 oz. meat ea.)	2 oz. ea/2 ea
Bread w/ entrée	2 oz	Bread w/ entrée	2 oz
(2) Cheese	4 oz	(2) Cheese	4 oz
Lettuce/Tomato/Onion/Pickle	4 oz	Lettuce/Tomato/Onion/Pickle	4 oz
Coleslaw	4 oz	Coleslaw LFNS	4 oz
Ranch Style Pinto Beans	8 oz	Ranch Style Pinto Beans LFNS	4 oz
Punch	1 ea	Punch	8 oz
Mayo/Must. Pack		Mayo/Must. Pack	1 ea
		Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Total Meals	HS Snack List		Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials			Menus Approved By: Ellen Ossorio, MS, RD, LDN
CYCLE #4 <--CURRENT CYCLE			Dietitian/Reg-License #: D2185 Date: 12/1/21
SUNDAY <--DAY OF THE WEEK			DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free
REGULAR DIET	PORTION		PORTION

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

BREAKFAST:			
Grits	4 oz	Grits LFNS	4 oz
Sausage (Non-Pork)	2 ea	Eggs (Scrambled or each)	4 oz / 2 ea
Pancakes	2 ea	Pancakes	2 ea
Margarine/Syrup	2 pat/3 oz	Lite Syrup	3 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Milk (1%)	8 oz
Milk (1%)	8 oz	Coffee	8 oz
Coffee	8 oz	Sugar Substitute	2 ea
Sugar Substitute	2 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
LUNCH:			
Chicken Pattie	3 oz	Lean Chicken Pattie LFNS	3 oz
Bread	2 ea	Wheat Bread	2 ea
Potato Salad	4 oz	Potato Salad LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Green Beans	4 oz	Green Beans LFNS	4 oz
Dessert	4 oz	Tea/water	8 oz
Tea/water	8 oz		
DINNER:			
Chirozo w/Eggs	2 oz / 4 oz	Eggs (Scrambled or each)	4 oz / 2 ea
Potatoes	4 oz	Potatoes LFNS	4 oz
Mexican Corn	4 oz	Mexican Corn LFNS	4 oz
Refried Beans	4 oz	Refried Beans LFNS	4 oz
Tortillas	2 ea	Wheat Bread	2 ea
Salsa	2 oz	Salsa	2 oz
Punch	8 oz	Punch	8 oz
Margarine	2 pat	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Total Meals		HS Snack List	Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials			

(CIE
(SM))

WILKINSON COUNTY CORRECTIONAL FACILITY
EX-111-12
PUNISHMENT REPORT

1960-1961

CHARACTERISTICS AND DETAILS.

is another situation in the oil industry. The oil companies have been using the same oil reserves for decades, creating a finite resource.

PERIODIC EXAMINATIONS
The means to protect the institution employees or others
from contact with AIDS

Reason(s) of Noncompliance _____
Other _____

During QTR 6, claims may be filed within 15 days with the Claims adjudicator on AGR, P.O. Box 602, Pensacola, MS 39501 after receipt of the Disposition.

Continued Restoration Date: 10/20/2010 by: D. G. H. Status: P. Only. Report
was to make and/or see the effects of dredging and lightening to continue to remove finally located. Final Removal from 1970's Status: P. Only. Report

Downloaded from https://academic.oup.com/imrn/article/2020/11/3633/3290303 by guest on 11 August 2021

Exhibit #73

WILKINSON COUNTY CORRECTIONAL FACILITY

N° 2011878

(MSP) _____ (CWC) _____
(CMCF) _____ (SMCI) _____
(OTHER) _____ WCCF _____

RULE VIOLATION REPORT

(Unit Admin. Initial) *MR*

CDF

Zone / Tier

Block D

Unit

E 206

Cell / Bed #

Offender Jason Holloway MDOC# MD998 Violated Rule # B18 Entitled

Request To Submit To A Drug Test

Date 1-26-22 Approx. Time 1021 Hrs.By the specific act of Refusing a Drug Test EXACT location of incident F 206Weapon involved Yes NoCIRCUMSTANCES AND DETAILS ON 1/26/2022 @ 1021 hrs Jason Holloway # MD998 Refuse a Reasonable SuspicionDrug Test. END of Statement

Reporting Employee's Signature

Evidence Yes No Located*Joseph Hall*Title SergeantPIN# 9996Date 1-27-22Time 0913Placed in Segregation - PDA

No

Yes- Location

I request witness(es) Yes NoWitness(es) (1) Kenzie H. Bell (2) Officer Boyd

Unless waived, you are hereby notified that a hearing will be held within, no less than, twenty-four (24) hours and no more than (7) working days

I waive the right to a Hearing Yes NoACCUSED *Jason Holloway*DELIVERING EMPLOYEE *M. Amos*DATE 1-27-22TIME 1312

AM PM

1. Investigation began within 24 hrs of violation? Yes No2. Date/Time investigation completed 1-27-22 13:18

3. If not completed without reasonable delay, explain:

4. Name of Investigator M. Amos

5. Working days between date of violation and hearing

6. If more than seven (7) working days, explain:

Is accused offender in Trusty Status Yes No Does accused offender receive Earned Time Yes No

Hearing Officer

Name of Persons at Hearing - Accused

Other

Accused's response Admit Deny Accused's Statement

Admit w/ modifications

Documents read and discussed RVR Investigation Witness Statements Other

Reason for Findings:

FINDINGS: Guilty Not GuiltyPUNISHMENT: Reason(s) Seriousness of offense The need to protect the institution, employees or others Poor conduct record

Other

A total of Rule Violations in A total of Rule Violations for Rule #A total of Rule Violations in A total of Rule Violations for Rule #Signature: Hearing Officer Date:

Appeal may be filed within 15 days with Legal Claims Adjudicator, c/o ARP, P.O. Box 609, Parchman, MS. 38738, after receipt of the Disciplinary decision.

Offender Signature: Date:

Signature of Reviewing Superintendent/Warden/CSD/Designee: Date:

Custody Reduction to Date Signature Due to guilty finding on the RVR, offender is ineligible to continue to receive Trusty Earned Time/ Remove from Trusty Status/ Trusty EarnedTime effective Signature

Approved Disapproved

Signature of Corrections or Designee

Exhibit #14

 <p>MISSISSIPPI DEPARTMENT OF CORRECTIONS</p>	SOP NUMBER 18-02-01
	INSTITUTIONS
OFFENDER DRUG TESTING	INITIAL DATE 09-01-2008
ACA STANDARDS:	EFFECTIVE DATE 10-01-2013
STATUTES:	NON-RESTRICTED
	PAGE 1 of 8

1 APPLICABILITY:

2 This procedure applies to all offenders incarcerated by the Mississippi Department of
 3 Corrections (MDOC) and employees responsible for the offender drug testing process.

6 POLICY:

7 It is the policy of the Mississippi Department of Corrections to control unauthorized use and
 8 abuse of illegal substances and drugs by conducting offender drug tests.

11 DEFINITIONS:

12 Indelible Ink – ink that is impossible to remove, rub out, wash out, or alter.

13 Chain of Custody – A legal term that refers to the ability to trace and safeguard the specimen
 14 from the time it is donated through all the steps in the process from collection to reporting the
 15 results.

16 Illicit Drug – Any controlled substance or prescription medication used unlawfully.

17 Sensitive Placement – An offender's job assignment or workplace that requires the offender to
 18 have integrity and exhibit responsibility. Offenders may be housed outside the institution and
 19 work on outside details with minimum supervision while living in a community setting. Offenders
 20 housed within the institution may have contact with the general public and require minimum
 21 supervision.

22 Specimen – Sample of urine taken from an offender sufficient to conduct a urinalysis.

23 Urinalysis – The testing of a urine specimen.

24 Fluid Drug Screen – The testing of oral fluid.

25 Reasonable Belief – Judgment based on specific objective facts and reasonable conclusions
 26 drawn in light of experience, training, and education.

36 PRECEPTS:37 Targeted Testing

38 The Commissioner or Deputy Commissioner of Institutions or designee(s) may authorize
 39 Targeted Testing. Such testing will normally be performed under the following circumstances:

- 40 • An offender is being considered for placement in a community facility based program
- 41 • Required by Court Order

TITLE: OFFENDER DRUG TESTING		SOP NUMBER 18-02-01
EFFECTIVE DATE: 10-01-2013	NON-RESTRICTED	PAGE 3 of 8

94 Notification of Positive Drug Test for RID Offenders

95 The staff member conducting the urinalysis is responsible for notifying the Central Mississippi
 96 Correctional Facility (CMCF) Warden and the Assistant Director of Offender Services (ADOS) in
 97 charge of admission of any positive test for RID offenders.

98
 99 If the offender tests positive on his initial arrival, the Assistant Director of Offender Services in
 100 charge of admission will immediately notify the sentencing judge and the designated family
 101 contact in writing of the delay in the offender entering the RID program.

102
 103 If the offender tests positive on a random drug test, the staff member conducting the urinalysis
 104 will issue him/her a RVR.

105
 106 The Disciplinary Hearing Officer will hear the RVR and impose the appropriate disciplinary
 107 sanctions for offenders testing positive for alcohol/drugs.

108
 109 If the offender is reclassified to the general population, the Assistant Director of Offender
 110 Services in charge of admissions will be notified.

111
 112 The ADOS will contact the Judge with the disposition of the Disciplinary Hearing Officer and if
 113 necessary, the State Classification Hearing Officer. It will be noted in the letter to the Judge that
 114 the offender tested positive after testing negative upon arrival at the MDOC R&C Center.

115
 116 The sentencing judge will make the final disposition of the RID offender's status.

117
 118 Reasonable Suspicion Test

119 This test is conducted if there is reasonable suspicion that an offender is using alcohol or drugs.
 120 Offenders may be tested at any time for reasonable suspicion.

121
 122 Reasonable suspicion will be noted on the Urinalysis Chain of Custody form and signed by the
 123 suspecting officer and the officer's supervisor.

124
 125 Random Testing

126 An offender may be ordered to submit a urine specimen as part of the random drug testing
 127 program. Each Facility's Controlling Authority will ensure that, at a minimum, 15% of all
 128 offenders assigned to the facility are tested on a random basis each month.

129
 130 An offender on dialysis may be ordered to submit oral fluid as part of the random drug testing
 131 program.

132
 133 The MDOC Management Information Systems staff will generate this list within Offendertrak
 134 and ensure that the random list constitutes 15% of the facility's population.

135
 136 Consecutive tests of the same offender may be conducted if his/her name appears on the
 137 appropriate computer-generated random list.

TITLE: OFFENDER DRUG TESTING		SOP NUMBER 18-02-01
EFFECTIVE DATE: 10-01-2013	NON-RESTRICTED	PAGE 5 of 8

188 This information will be typed or legibly written in indelible ink and match the information on the
 189 Urinalysis Chain of Custody Form. The offender will be asked to acknowledge that the
 190 information on the container/lid is correct.

191
 192 The offender will also be asked if he/she has been taking any medication in the past three weeks, and the response will be noted on the Urinalysis Chain of Custody form. If the
 193 offender's response is "yes" and the subsequent test results are positive, an inquiry will be
 194 made to Medical Personnel for prescription verification as to what medications the offender has
 195 received in the past three weeks.

196
 197 The collection and testing of a urine specimen will be conducted by two (2) staff members of the
 198 same gender as the offender being tested. One staff member will be the witness and the other
 199 will be the tester. The staff member witnessing the collection will:

200
 201

- 202 • Supervise one offender at a time
- 203 • Continuously observe (witness) the production of the urine specimen into the container
- 204 • Keep the specimen in full view of the offender at all times prior to placing the lid on it and
 205 labeling it
- 206 • Close up the bottle containing the specimen

207
 208 The staff member performing the test will test the sample according to the vendor specifications.

209
 210 If the test is negative, the staff member performing the test will dispose of the urine in a toilet
 211 and the container in a waste receptacle for biohazardous material.

212
 213 If the test is positive, the staff member will take a photograph of the lid showing the offender's
 214 name and number and the positive results.

215
 216 The staff member will record the personal observation of the specimen collection and
 217 subsequent test results on the Urinalysis Chain of Custody Form.

218
 219 If an offender refuses to sign the Urinalysis Chain of Custody Form, two (2) staff members will
 220 sign as witnesses.

221
 222 The staff member performing the test will dispose of the urine in a toilet and the container in a
 223 waste receptacle for biohazardous material.

224
 225 The offender will be issued a RVR in accordance with MDOC procedure 18-01-01, Disciplinary
 226 Procedures. A copy of the chain of custody form and the photo of the lid's test results will be
 227 attached to the RVR for the Disciplinary Hearing Officer.

Collecting the Oral Fluid Specimen

228
 229 The staff member responsible for collecting the oral specimen will:

- 230 • Instruct the donor not to eat, drink, smoke or chew tobacco products at least 10 minutes
 231 prior to the administration of the test.
- 232 • Confirm the offender's identity by inspecting the offender's photo identification card.

TITLE: OFFENDER DRUG TESTING		SOP NUMBER
EFFECTIVE DATE: 10-01-2013		18-02-01
	NON-RESTRICTED	PAGE 7 of 8

285 If the test is positive, the staff member will take a photograph of the device showing the
 286 offender's name and number and the positive results.

287 The staff member will record the personal observation of the specimen collection and
 288 subsequent test results on the Chain of Custody Form.

289
 290 If an offender refuses to sign the Chain of Custody Form, two (2) staff members will sign as
 291 witnesses.

292
 293 The offender will be issued a RVR in accordance with MDOC procedure 18-01-01, Disciplinary
 294 Procedures. A copy of the Chain of Custody form and the photo of the device's test results will
 295 be attached to the RVR for the Disciplinary Hearing Officer.

296
 297 **Refusal to Provide Sample**

298
 299 An offender who refuses to submit a urine specimen/oral fluid as ordered will be written a RVR
 300 for refusing or failing to submit to a urinalysis test in accordance with MDOC procedure 18-01-
 301 01, Disciplinary Procedures.

302
 303 If the offender claims he/she is unable to provide a urine specimen immediately, he/she will be
 304 detained for observation. An offender who is unable to provide a urine specimen after four (4)
 305 hours will be considered to have refused or failed to submit to a urinalysis test. If the offender
 306 refuses or is unable to submit a urine specimen within four (4) hours, this fact will be noted on
 307 the Urinalysis Chain-of-Custody form.

308
 309 **Training**

310
 311 All staff members involved in the taking of urine or fluid samples will be trained in these
 312 procedures before any drug testing of an offender is conducted. The vendor supplying the
 313 testing material or a certified staff member will conduct training.

314
 315 **Sanctions for Positive Drug Tests**

316
 317 MDOC applies serious responses to positive drug tests. Offenders who test positive, whether in
 318 a drug program or not, meet with sanctions by the appropriate authorities.

319
 320 The Disciplinary Hearing Officer may impose sanctions based on the severity and repetition of
 321 the offense. Such sanctions will include those identified in MDOC procedure 18-01-01,
 322 Disciplinary Procedures.

323
 324 **Sanctions for Offenders in the RID Program**

325
 326 If an active RID participant tests positive, a Rule Violation Report will be issued. He may be
 327 referred to a Termination Hearing Committee that consists of a Case Manager, a treatment
 328 person, and a security person. They will make a recommendation to the RID Director regarding
 329 whether the offender should stay in the program.

330
 331 If the Termination Hearing Committee recommends terminating the offender from the program,
 332 a Classification Hearing Officer will meet and reclassify the offender. See MDOC procedure on
 333 Disciplinary Procedures..

Exhibit #15

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-22-126

SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Jason Holloway #M0998
Location: Wilkinson County Correctional Facility

From: D. Vannoy
Title: Warden

In response to your ARP claim. In reference to you requesting the drug testing policy S.O.P. #18-02-01 (MDOC Policy) be followed at all times when doing drug testing. The information gathered reveals according to Sgt. Hall he is following guidelines and procedure of policy 18-02-01. You have not provided any evidence to show where policy is not being followed. I consider this matter resolved at this level.

Frank Vannoy
Signature

4/18/22
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.

Jason Holloway
Inmate's Signature

M0998
DOC #

4-20-22
Date

Exhibit # 16

 <p>MISSISSIPPI DEPARTMENT OF CORRECTIONS</p>	SOP NUMBER 18-01-01
	AGENCY WIDE
DISCIPLINARY PROCEDURES	INITIAL DATE 10-01-1997
ACA STANDARDS: 5-ACI-3C-01 thru 5-ACI-3C-23, 4-ACRS-3A-01 thru 4-ACRS-3A-03, 4-ACRS-6C-01 thru 4-ACRS-6C-04	EFFECTIVE DATE 12-01-2021
STATUTES: 47-5-99, 47-5-104, 47-5-801	NON-RESTRICTED
	PAGE 1 of 20

1 **APPLICABILITY:**

2 This procedure applies to all offenders incarcerated by the Mississippi Department of
 3 Corrections (MDOC) and employees participating in the disciplinary process.

4
 5 The provisions of this standard operating procedure will apply retroactively.
 6

7 **POLICY STATEMENT:**

8 It is the policy of the Mississippi Department of Corrections (MDOC) to discipline all offenders
 9 who commit and/or participate in prohibited activities.
 10

11 **DEFINITIONS:**

12 **Administrative Remedy Program** – A program by which an offender may request administrative
 13 remedy for situations arising from policies, conditions or events within MDOC that affect them
 14 personally.

15 **Criminal Violations** – Any incident in which an offender allegedly commits an act covered by
 16 criminal law.

17 **Disciplinary Hearing** – An impartial classification hearing composed of a Disciplinary Hearing
 18 Officer or staff member whose name appears on the Executive Order approved by the
 19 Commissioner.

20 **Disciplinary Hearing Officer** – Staff member whose name appears on the Executive Order
 21 approved by the Commissioner who will hear all pertinent information surrounding an alleged
 22 rule violation and base their final decision if some evidence presented at the hearing indicates
 23 the underlying action(s) occurred.

24 **Informal Resolution** – Resolution of a minor rule infraction at the unit level.
 25

26 **Rule Violation** – An act or omission of an act contrary to the rules and regulations of MDOC,
 27 laws of the State of Mississippi, or the United States.
 28

29 **Rule Violation Report (RVR)** – A report that will include the violation charge, essential facts
 30 supporting the alleged violation, processing action taken (including requests for investigation
 31 and lists of requested witnesses), findings and disciplinary action taken (if any). The reporting
 32 form will be configured so that proper distribution can be made with the original becoming part
 33 of the offender's permanent MDOC record.

34 **Inappropriate Sexual Behavior** – Seductive or obscene acts that include unwelcome touching, or
 35 masturbation.
 36

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44 Inappropriate Sexual Behavior with Another Person – Seductive or obscene acts that include
 45 intimate touching, penetration of another's body cavity, and include homosexual and
 46 heterosexual activity.

47 Physical Action – Any use of force; act of fighting, hitting, kicking, shoving, pushing, biting, or
 48 other similar type of physical contact; or throwing, squirting or spitting any item, substance or
 49 fluid.

50 Riot – To incite, instigate, organize, plan, cause, aid, abet, assist or take part in any disorder,
 51 disturbance, strike, or other organized disobedience to the rules of the facility.

52 Serious Physical Injury – Means an injury requiring more than basic first aid.

53 Sexual Assault – Non-consensual intimate physical contact with another person that may
 54 include an attempt or threat of physical violence.

55 Unauthorized Communication – Any form of communication not allowed by any posted or
 56 published rule, including inducing personnel to carry items into or out of the institution, using a
 57 staff telephone or communicating with another inmate in a different housing status.

58 Dangerous Contraband – A firearm, knife, other weapon, device or instrument, material or
 59 substance that is readily capable of causing or inducing fear of death or serious physical injury.

60 Some Evidence – Whether any evidence at all supports the action taken by prison officials.

61 Tobacco Product – Any product that contains tobacco, the prepared leaves of any plant
 62 belonging to the nicotine family, which will include, but not limited to cigarettes, loose tobacco,
 63 cigar, snuff, chewing tobacco, or any other preparation of tobacco, tobacco substitutes, smoking
 64 paraphernalia (i.e., matches, lighter, cigarette papers) and all other items developed and
 65 processed for the primary purpose of facilitating the use or possession of tobacco or tobacco-
 66 related products as well as packaging material. Packaging material includes, but not limited to
 67 snuff or cigarette containers. tobacco product does not include pharmacological aids (i.e., patch,
 68 inhaler, or lozenges) for smoking cessation.

69 Electronic Cigarette/Vaporizers – An electrical device(s) that simulates the act of tobacco
 70 smoking by producing an inhaled vapor bearing the physical sensation, appearance, and may
 71 contain nicotine. The liquid is heated to create an aerosol that the user inhales.

72 **PROCEDURES:**

73 Adult Community Residential Services: Facility rules and regulations are reviewed at least
 74 annually and updated, if necessary [4-ACRS-3A-02].

75 Adult Correctional Institutions: There is a written set of disciplinary procedures governing
 76 inmate rule violations [5-ACI-3C-02].

77 Adult Community Residential Services: All program rules and regulations pertaining to
 78 offenders are conspicuously posted in the facility or included in a handbook that is
 79 accessible to all offenders and staff [4-ACRS-3A-03].

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94 *Adult Correctional Institutions:* A rulebook that contains all chargeable offenses, ranges of
 95 penalties, and disciplinary procedures is given to each inmate and staff member and is
 96 translated into those languages spoken by significant numbers of inmates. Signed
 97 acknowledgement of receipt of the rulebook is maintained in the inmate's file. When a
 98 literacy or language problem prevents an inmate from understanding the rulebook, a
 99 staff member or translator assists the inmate in understanding the rules [5-ACI-3C-03].

100 *Adult Community Residential Services:* There is a process for informal resolution of minor
 101 infractions of facility rules [4-ACRS-6C-01].

103 *Adult Correctional Institutions:* There are written guidelines for resolving minor inmate
 104 infractions, which include a written statement of the rule violated and a hearing and
 105 decision within seven days, excluding weekends and holidays, by a person not involved
 106 in the rule violation; inmates may waive their appearance at the hearing [5-ACI-3C-05].

108 Informal Resolution Process

110 An Informal Resolution of a minor violation requires prompt yet fair disposition and agreement
 111 between the accused offender and a staff member (Correctional Supervisor or above).

113 The Informal Resolution is designed to reduce paperwork and to enable the offender to avoid a
 114 recorded entry of disciplinary action.

116 Informal Resolutions will not be used in cases involving violence or physical aggression.

118 To accomplish the Informal Resolution action the accused offender will be escorted to the
 119 appropriate authority, the charges will be verbally related, and a decision will be made by the
 120 appropriate authority as to whether the violation merits action.

122 Upon agreement, an Informal Resolution form will be completed. The Informal Resolution form
 123 will include, but not be limited to the following information, as applicable:

- 126 • Offender's name, number, housing unit, zone/tier, cell/bed
- 127 • Date and time
- 128 • Location of incident
- 129 • Specific rule violated
- 130 • A formal statement of the charge
- 131 • Any unusual offender behavior
- 132 • Any staff witnesses
- 133 • Any physical evidence and its disposition
- 134 • Reporting staff member's name
- 135 • Hearing Officer's signature and date
- 136 • Accused offender's signature, unless refused
- 137 • Punishment

138 An informal meeting will be held with the accused offender and a decision made within seven
 139 (7) days, excluding weekends and holidays.

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142 The accused offender may waive the meeting by notifying the appropriate authority and
 143 completing a waiver form. The accused offender must sign and agree to the imposed penalty.

144
 145 The following penalties may be imposed:

146

- 147 • Counseling with or without a reprimand
- 148 • Assignment of extra duty, not to exceed 16 hours (0-16 max)
- 149 • Temporary suspension of privileges, not to exceed seven (7) days (0-7 max)
- 150 • Loss of two (2) visiting days, depending upon the custody level of offender (no offender will
 151 lose more than four (4) consecutive visiting days at any one time)

152
 153 The completed Informal Resolution form is placed in the accused offender's unit/working file for
 154 future reference. When an offender is found guilty of an informal resolution and loss of privileges
 155 is imposed with a beginning/ending date for punishment, copies should be forwarded to:

156

- 157 • Case Manager
- 158 • Canteen Manager
- 159 • Telecommunications Department
- 160 • Visitation Department

161
 162 If the accused offender disagrees with the Informal Resolution, then a Formal Resolution will be
 163 prepared and forwarded to the Facility Disciplinary Authority.

164
 165 **Restrictions**

166
 167 Informal Resolution action will not be capricious or in the nature of retaliation or revenge.
 168 Corporal punishment of any kind is strictly prohibited.

169
 170 Informal Resolution actions are NOT subject to the Administrative Remedy Program.

171
 172 **Changes and Recommendations**

173
 174 These procedures will not be deviated from for any reason. These procedures will also be
 175 reviewed annually for soundness and validity and to incorporate any changes deemed
 176 necessary.

177
 178 **Formal Resolution Process**

179
 180 *Adult Community Residential Services:* An offender charged with a major rule violation
 181 receives a written statement of the alleged violation(s), including a description of the
 182 incident and specific rules violated [4-ACRS-6C-02].

183
 184 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that when
 185 rule violations require formal resolution, staff members prepare a disciplinary report and
 186 forward it to the designated supervisor [5-ACI-3C-07].

187
 188 *Adult Correctional Institutions:* Disciplinary reports prepared by staff members include, but
 189 are not limited to, the following information:

190

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191 • specific rule(s) violated
 192 • a formal statement of the charge
 193 • any unusual inmate behavior
 194 • any staff witnesses
 195 • any physical evidence and its disposition
 196 • any immediate action taken, including the use of force
 197 • reporting staff member's signature and date and time of report [5-ACI-3C-08].

198 Additional information for disciplinary reports includes:

200 • Pin number (if applicable)
 201 • Offender's name, number, housing unit, zone/tier, cell/bed
 202 • Location of incident
 203 • Weapon involved
 204 • Offender's signature and date unless refused
 205 • Indication of requested investigation, witnesses, if any, and if accused inmate chose to
 206 waive hearing rights
 207 • Delivering officer's name, signature, date, and time RVR was delivered to the offender

Preparation of RVR

211 An offender may be issued a RVR if he/she:

213 a) Attempts to commit a rule violation
 214 b) Solicits another or others to commit the rule violation
 215 c) Conspires with another or others to commit the rule violation
 216 d) Aids the action of another or others in committing the rule violation

218 As soon as reasonably possible after discovery that the aforementioned has occurred or a
 219 violation has been committed, the officer who witnesses or any employee having knowledge of
 220 the incident will prepare the RVR.

222 All rule violation reports will be legible to the extent possible under the circumstances.

Delivery of RVR to Offender

226 The first copy of the RVR will be delivered to the accused offender within twenty-four (24)
 227 hours of the time the violation is discovered.

229 If the offender refuses to sign for delivery of the RVR, two (2) staff members must witness the
 230 refusal.

232 The delivering employee will also document the offender's request for investigation, list
 233 witnesses on the RVR and indicate whether the offender wishes to waive his/her hearing.

235 Two (2) staff members must witness the offender's wishes to waive his/her rights to a hearing.

236 This must be done whether the offender signs or refuses to sign for delivery of the RVR.
 237 Record of delivery will be made on the RVR showing date, time, and who delivered the copy.

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240 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that an
 241 inmate charged with a rule violation receives a written statement of the charge(s),
 242 including a description of the incident and specific rules violated. The inmate is given the
 243 statement at the same time that the disciplinary report is filed with the disciplinary
 244 committee but no less than 24 hours prior to the disciplinary hearing. The hearing may
 245 be held within 24 hours with the inmate's written consent [5-ACI-3C-11].

246 Indication should be made on the RVR if the offender was placed in Administrative Segregation
 247 pending disciplinary hearing.

248 After all essential information has been recorded by the reporting employee, the RVR will be
 249 reviewed by the Unit Administrator or designee for completeness and to ensure the incident
 250 could not be handled by Informal Resolution.

251 If approved, the Unit Administrator or designee will initial the top left corner of the RVR, enter a
 252 Pending RVR Alert in Offendertrak, and immediately forward the RVR to the Facility Disciplinary
 253 Authority or designee.

254 **Pre-Hearing Status**

255 *Adult Correctional Institutions:* Within the disciplinary procedures document there is
 256 provision for prehearing detention of inmates who are charged with a rule violation. The
 257 inmate's pre-hearing status is reviewed by the warden/superintendent or designee within
 258 72 hours, including weekends and holidays [5-ACI-3C-10].

259 Refer to procedures for Offender Segregation, 19-01-01.

260 **Investigation**

261 *Adult Correctional Institutions:* Written policy, procedure, and practice specify that, when an
 262 alleged rule violation is reported, an appropriate investigation is begun within 24 hours
 263 of the time the violation is reported and is completed without reasonable delay, unless
 264 there are exceptional circumstances for delaying the investigation [5-ACI-3C-09].

265 The Disciplinary Investigator will begin an investigation within 24 hours of the time the rule
 266 violation is reported and will complete it without reasonable delay, unless there are exceptional
 267 circumstances. (Refer to the Investigation Guide and Incident Investigation Form)

268 Exceptional circumstances for delaying an investigation may include, but not be limited to the
 269 following:

- 270 • The accused offender is not available to give a statement (i.e., medical reason, away from
 271 facility)
- 272 • Other offender witnesses are not available to give statements for the same reasons
- 273 • Staff witnesses are not available to give statements
- 274 • Inclement weather conditions
- 275 • Institutional emergency
- 276 • Any extraordinary circumstances approved, in writing, by the Superintendent/Community
 277 Corrections Director

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289 Note: Such exceptions will be noted in the completed investigation package.
 290
 291 The Superintendent/Community Corrections Director or designee will approve such exceptions
 292 in writing.
 293
 294 The investigation will be commenced regardless if the offender requests it or not.
 295
 296

Investigator

- 299 • The Disciplinary Investigator will not be the same staff as the staff that reported the incident
 300 or wrote the RVR.
- 301 • The Disciplinary Investigator will be neutral and unbiased in conducting interviews and
 303 gathering information.
- 304 • In seeking the truth, the Disciplinary Investigator will interview the accused and any other
 305 persons considered having pertinent information.
- 306 • The Disciplinary Investigator will provide factual information, and will have access to all
 308 information concerning the offender's act of misbehavior and will receive cooperation from
 309 all personnel.
- 310 • Any staff member called as a witness will not refuse to give a statement.
- 311 • The Disciplinary Investigator will be subject to call any witness to appear at the hearing.
- 314 • The Disciplinary Investigator will indicate the offender's current job assignment and any
 316 educational programs.

Witnesses

320 The offender charged with a rule violation will be allowed to present documentary evidence and
 321 call defense witnesses unless:

- 324 • Permitting offender to do so will be unduly hazardous to institutional safety and security.
- 325 • Witness was not present when the violation occurred or has no firsthand knowledge of the
 327 incident, or investigation discloses that the called witness's testimony would be repetitive of
 328 all other called witnesses. In such cases, the accused will be permitted to select no more
 329 than two (2) witnesses.

330 If the witness is not readily available for the hearing due to being away from the facility/housing
 331 unit where the RVR is being heard, a statement may be obtained by the investigator to be used
 332 in place of the witness's personal appearance. The investigator may obtain a transcribed
 333 statement over the telephone.

335 *Adult Correctional Institutions: Written policy, procedure, and practice provide that inmates
 336 charged with rule violations are present at their hearings unless they waive that right in*
 337

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338 writing or through their behavior. Inmates may be excluded during the testimony of any
 339 inmate whose testimony must be given in confidence; the reasons for the inmate's
 340 absence or exclusion are documented [5-ACI-3C-16].

341
 342 At the discretion of the Hearing Officer, private testimony may be taken whenever it is
 343 determined that revealing the identity of the witness may subject him to personal danger.
 344 Reasons for the witness's exclusion or absence will be documented and the accused offender
 345 will be notified.

346
 347 Questions may be asked of any witness called to the meeting.

348
 349 **Disciplinary Hearing**

350
 351 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that
 352 disciplinary hearings on rule violations are conducted by an impartial person or panel of
 353 persons. A record of the proceedings is made and maintained for at least six months [5-
 354 ACI-3C-15].

355
 356 Refer to the Rule Violation Report (RVR) Hearing Script.

357
 358 The Hearing Officer will hear all pertinent information surrounding an alleged rule violation.

359
 360 The Hearing Officer will question the accused offender, witnesses and any other person
 361 appearing at the hearing.

362
 363 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that inmates
 364 have an opportunity to make a statement and present documentary evidence at the
 365 hearing and can request witnesses on their behalf; the reasons for denying such a
 366 request are stated in writing [5-ACI-3C-17].

367
 368 The Hearing Officer will exercise control of all questioning to prevent harassment, abuse,
 369 repetition, deficiency of relevancy, and to maintain order.

370
 371 The accused, any witnesses and the accuser, if present, may be excused from the hearing
 372 during deliberation.

373
 374 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that the
 375 disciplinary committee's decision is based solely on information obtained in the hearing
 376 process, including staff reports, the statements of the inmate charged, and evidence
 377 derived from witnesses and documents [5-ACI-3C-19].

378
 379 The RVR will be affirmed if some evidence indicates the underlying action(s) occurred.

380
 381 The RVR itself may be used as the sole basis for the Hearing Officer's decision.

382
 383 The Hearing Officer will render a fair and just punishment for a factual finding and must sign
 384 his/her name to each RVR.

385
 386 A copy of written findings will be given to the offender as soon as reasonably possible after the
 387 hearing.

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388 The accused will be advised of his appeal rights.
 389
 390 *Adult Correctional Institutions: Written policy, procedure, and practice provide that an inmate may waive the right to a hearing provided that the waiver is documented and reviewed by the chief executive officer or designee [5-ACI-3C-12].*
 391
 392

393 An offender may waive the right to a hearing, provided the waiver will be documented and
 394 reviewed by the Superintendent, Warden or designee and/or Community Corrections Director or
 395 designee.
 396

397
 398 *Adult Correctional Institutions: Written policy, procedure, and practice provide that a written record is made of the decision and the supporting reasons, and that a copy is given to the inmate. The hearing record and supporting documents are kept in the inmate's file and in the disciplinary committee's records [5-ACI-3C-20].*
 399
 400

401 The hearing will be recorded and a record of the proceedings will be maintained for a minimum
 402 of three (3) years.
 403

404 If an offender is transferred to another facility prior to a disciplinary hearing, the RVR will be
 405 immediately forwarded to the Superintendent, Warden or Community Corrections Director of the
 406 receiving facility, who will ensure that it is processed.
 407

408
 409 *Adult Correctional Institutions: Written policy, procedure, and practice provide for review of all disciplinary hearings and dispositions by the warden/superintendent or designee to assure conformity with policy and regulations [5-ACI-3C-22].*
 410
 411

412 All completed RVR's will be forwarded to the Warden/Community Corrections Director or
 413 designee for review.
 414

415 **Timelines of Disciplinary Hearing**
 416

417
 418 *Adult Correctional Institutions: Written policy, procedure, and practice provide that inmates charged with rule violations are scheduled for a hearing as soon as practicable but no later than seven days, excluding weekends and holidays, after being charged with a violation. Inmates are notified of the time and place of the hearing at least 24 hours in advance of the hearing [5-ACI-3C-13].*
 419
 420

421 The Hearing Officer will conduct the disciplinary hearing within seven (7) working days after the
 422 violation occurred. If more than seven (7) working days have elapsed, a written explanation
 423 must be included.
 424

425
 426 *Adult Correctional Institutions: Written policy, procedure, and practice provide for postponement or continuance of the disciplinary hearing for a reasonable period and good cause [5-ACI-3C-14].*
 427

428 This must be documented on the RVR.
 429

430 **Rights of the Accused**
 431

432 The accused must be present at the hearing unless he refuses to appear or use of force would
 433
 434

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438 be required to enforce attendance. In this case, the hearing will continue in his absence. The
 439 reason for the offender's exclusion or absence will be documented on the RVR form and
 440 entered into the record during the hearing. No *absentia* hearing will be held when the offender
 441 is mentally disturbed to such extent that meaningful participation would be precluded, or when
 442 the offender is an *escapee-at-large*.

443

444 Established time frames and procedural requirements listed in this standard operating
 445 procedure are advisory guidelines and do not constitute a due process right to the offender.

446

447 The Agency's failure to abide by the time frames and procedural requirements will not be a
 448 basis for dismissal of the RVR.

449

450 *Adult Correctional Institutions: Written policy, procedure, and practice provide that a staff*
 451 *member or agency representative assists inmates at disciplinary hearings if requested.*
 452 *A representative is appointed when it is apparent that an inmate is not capable of*
 453 *collecting and presenting evidence effectively on his or her own behalf [5-ACI-3C-18].*

454

Disposition and Penalties

455

456 The Disciplinary Hearing Officer will consider the seriousness of each incident/violation, to
 457 include those incidents/violations listed on the Intensive Supervision Program and Earned
 458 Release Certificate and the mental status of each offender when assessing punishment.

459

460 *Adult Community Residential Services: The facility implements a system of a progressive*
 461 *discipline [4-ACRS-6C-04].*

462

463 *Adult Community Residential Services: Offender rules and disciplinary regulations*
 464 *describe violations, sanctions, and penalties [4-ACRS-3A-01].*

465

466 *Adult Correctional Institutions: Written rules of inmate conduct specify acts prohibited*
 467 *within the institution and penalties that can be imposed for various degrees of violation*
 468 *[5-ACI-3C-01].*

469

470 *Adult Correctional Institutions: All personnel who work with inmates receive sufficient*
 471 *training so that they are thoroughly familiar with the rules of inmate conduct, the*
 472 *rationale for the rules, and the sanctions available [5-ACI-3C-04].*

473

474 All staff will receive training on the disciplinary procedures to include rules of inmate conduct,
 475 the rationale for the rules, and the sanctions available.

476

RULE VIOLATIONS

477

478 The Mississippi Department of Corrections has adopted the following categories of rule
 479 violations:

480

Violation Category A (Minor Violations)

Rule Number	Rule Violation Description
A1	Littering

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A2 Illegal possession of any item or quantities not on the allowable items list (Minor-Miscellaneous Contraband)		
A3 Unauthorized removal of food or utensils from any food service area		
A4 Faking illness or injury		
A5 Failure to abide by any published institutional schedule or documented rules		
A6 Violating the institutional dress code or grooming standards		
Sanctions for Violation Category		
Reprimand and warning.		
Restriction of all privileges not to exceed one (1) month, excluding exercise periods. This will not exclude restriction from use of recreational facilities in the institution.		
Loss of privileged housing, job or meritorious living conditions.		
Restitution		
Recommend custody review		

483

Violation Category B (Serious Violations)

Rule Number	Rule Violation Description
B1	Improper or unauthorized use of state equipment or materials
B2	Interfering with an employee in the performance of their duty
B3	Refusing or failing to obey an order of staff
B4	Violation of mail, telephone, or visiting regulations
B5	Failure to clean bed area or pass bed area inspection
B6	Breaking or entering into another inmate's locker, room, cell or living unit
B7	Refusing or failing to carry out work assignment
B8	Physical action against another person where no physical injury has occurred, including horseplay
B9	Inflicting injury to self (Self-Mutilation)
B10	Tattooing or piercing self or others or allowing self to be tattooed or pierced
B11	Being in a restricted or unauthorized area
B12	Violating a condition of any outside work assignment
B13	Abusive, disrespectful, vulgar, obscene or threatening language, gestures or actions directed toward or about any person
B14	Lying to an employee
B15	Unauthorized communication with any member of the public, staff, or between inmates

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B16	Disruptive behavior or disorderly conduct which threatens the orderly running of the facility
B17	Refusing or failing to submit to a drug urinalysis test (Refer to Special Circumstances 18.01.01 for punishment)
B18	Smuggling of contraband items into, out of, or within the institution
B19	Engaging in extortion or blackmail, bribery, loan sharking, collecting or incurring debt
B20	Refusing or failing to comply with institutional count or lockup procedures
B21	Nonviolent demonstration or inciting a nonviolent demonstration that may lead to a disruption of institutional operations
B22	Negligent or deliberate destruction, alteration or defacing of state, personal, or community property valued less than \$100
B23	Deliberately or negligently causing a fire
B24	Inappropriate sexual behavior with another person or indecent exposure (Masturbation)
B25	Gambling
B26	Stealing
B27	Making threatening or intimidating statements
B28	Refusing to submit to a search
B29	Pursuing or developing a relationship that is unrelated to correctional activities with a non-inmate (Fraternization)
B30	Possession of serious contraband to include but not limited to: <ul style="list-style-type: none"> • Money • State equipment or materials • Gang paraphernalia • Tobacco products (Not in canteen list-Includes the Use of Tobacco or accessories and electronic cigarettes) • Gambling paraphernalia • Stolen property less than \$100 • Tattoo or body-piercing paraphernalia Drug paraphernalia
B31	<ul style="list-style-type: none"> • Failure to abide by the "statement of conditions" of release for Earned Release Supervision, Medical Release or Intensive Supervision Program or 72 Hour Honorary Leave Agreement
B32	Absconding supervision from community supervision
B33	Giving or receiving anything of value to or from another
Sanctions for Violation Category	
Restriction of all privileges not to exceed one (1) month, excluding exercise periods. This will not exclude restriction from use of recreational facilities in the institution.	
Loss of privileged housing, job or meritorious living conditions.	
Restitution	

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Recommend custody review

Assignment to disciplinary segregation for a maximum of twenty (20) days, each offense.

Upon a guilty finding, in addition to any other authorized sanction for this category of rule violations, the disciplinary hearing officer will recommend the following progressive disciplinary sanction:

- If an inmate has accumulated three (3) Category B rule violations within a six (6) month period, the offender will lose thirty (30) days of earned time.
- Receiving a 4th RVR within a six (6) month period will result in an additional loss of sixty (60) days of earned time
- Receiving a 5th RVR within a six (6) month period will result in an additional loss of ninety (90) days of earned time
- In addition to all previous loss of earned time under Category B, upon receiving six (6) or more RVRs within a six (6) month period will result in the same sanctions listed under Category C Rule Violations

484

Violation Category C (Major Violations)

Rule Number	Rule Violation Description
C1	Negligently or deliberately destroying, altering or defacing of state, personal, or community property valued at \$100 or more
C2	Destroying or tampering with life safety equipment, locking or security devices
C3	Tampering with physical evidence or hindering an investigation
C4	Using mail to obtain money, goods or services by fraud
C5	Involvement in disruptive, assaultive, or criminal gang activity
C6	Escape
C7	<p>Possession of major contraband to include but not limited to:</p> <ul style="list-style-type: none"> • Firearms • Sharpened instrument or knife • Other objects capable of inflicting death • Tools • Explosives/ammunition • Medication (prescription, non-prescription) • Illegal drugs • Electronic devices or parts • Escape paraphernalia • Staff clothing or uniform related items • Stolen property over \$100 <p>(Refer to Special Circumstances, 18.01.01)</p>
C8	Assaultive action against any person or staff member resulting in serious physical injury

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C9	Physical action resulting in the death or murder of any person			
C10	Hostage taking			
C11	Inciting to riot or rioting			
C12	Arrest for criminal activity while on 72 Hour Leave			
C13	Unauthorized use of drugs or intoxicants or testing positive for either (Refer to Special Circumstances 18.01.01 for punishment)			
	Sanctions for Violation Category			
Restitution				
Recommend custody review				
Assignment to disciplinary segregation for a maximum of twenty (20) days, each offense				
Restriction of privileges not to exceed two (2) months, excluding exercise periods. This will not exclude restriction from use of recreational facilities in the institution.				
Removal from 30/30 trusty status for a period of six (6) months (Only if offender is receiving 30/30 trusty status).				
If the offender does not receive 30/30 trusty status, the offender will lose 180 days of earned time (e.g., MET, TET, Earned Time).				
Loss of all earned time (Earned time is to be forfeited for escapees or aiding and abetting an escape pursuant to MCA 47-5-139)				
Suspension of visitation and commissary privileges for 18 months for offenders found guilty by a Disciplinary Hearing Officer of assaulting a staff member. Loss of all earned time and Trusty status				
Loss of 6 months Canteen and Visitation for Major Contraband C-7 – No exceptions				
If the RVR is a C8, the inmate will have his account frozen and will be liable for medical costs associated for the assaultive behavior. (Off-site medical \$1,500; onsite \$500)				

SPECIAL CIRCUMSTANCES

485

486 In addition to any other penalty or penalties which will be imposed the following actions

487 will be taken:

488

- 489 • A second (2nd) sanction may be given for each serious or major violation as long as it is listed under the authorized sanction for that rule violation
- 490
- 491 • Time spent in pending disciplinary segregation (PDA) will be credited against any subsequent discipline imposed
- 492
- 493 • Objective Reclassification if warranted (Refer to Institutional Classification Handbook)
- 494
- 495 • Referral to District Attorney if warranted
- 496
- 497 • The first time a Community Work Center, County State Work Program, or Restitution Center offender tests positive or refuses to submit a urine sample, he/she will be referred to A&D (max 3 months). These offenders will not have their custody reduced or reclassified with the objective classification instrument.
- 498
- 499
- 500
- 501
- 502
- 503

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504 • Earned time is to be forfeited for escapees or aiding and abetting an escape pursuant to
 505 MCA 47-5-139.

506 • Offenders who receive a RVR for C-8, "Assaultive action again any person or staff member
 507 resulting in serious physical injury" and are found guilty by a Disciplinary Hearing Officer of
 508 assaulting a staff member, will have visitation and commissary privileges suspended for 18
 509 months. Loss of all earned time and Trusty status.

510 • Offenders in Institutions, Private Prisons and County Regional Facilities who are
 511 charged with possession of electronic devices or parts will receive:
 512 1. Removal from trusty earned time for six (6) months if they are receiving 30/30 trusty time
 513 2. Loss of 180 days of trusty time if in 10/30 trusty status
 514 3. Loss of earned time up to 180 days if not in trusty status

515 • Offenders in Community Work Centers who are charged with possession of electronic
 516 devices or parts will receive:
 517 1. For the first RVR, removal from trusty status for a period of 6 months or loss of 180 days
 518 earned time
 519 2. For the second RVR, loss of honorary leave and suspension of visitation and
 520 commissary privileges for 18 months

521 MDOC may deviate from these advisory guidelines based on the severity of the offense, a
 522 history of offenses, and other factors.

Sanctions for youth housed in the Youthful Offender Unit (YOU) by Category

Category A (Minor Violations)

1. Verbal reprimand and warning
2. Reduction of maximum behavior points for that period
3. Loss of telephone, visitation, and store privileges earned through the Behavior Management Program
4. Reduction s to a lower privilege through the Behavior Management Program
5. Activity Restriction
6. Early Bed

Category B (Serious Violations)

1. Restitution
2. Extreme work detail
3. Isolation/segregations
4. Loss of Job, housing privileges
5. Activity Restriction
6. Reduction of Level or more than one level through the Behavior Management Program
7. Loss of visitation earned through the Behavior Management Program
8. Loss of telephone call earned through the Behavior Management Program.

Category C (Major Violations)

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553
554 1. Restriction
555 2. Reduction of Positive Behavior Management Points
556 3. Reduction of Level of Behavior Management Program
557 4. Extensive Work Detail
558 5. Disciplinary Isolation
559 6. Major Sanction added to a serious sanction
560 7. Loss of one month of telephone calls earned through the Behavior Management Program

561
562 **Evidence**

563 Any and all evidence, with the exceptions referenced in policy 16-14, Preservation of Physical
564 Evidence, accompanying a RVR will be recorded, labeled and stored securely at the Central
565 Disciplinary Office. After the RVR is heard and the findings are known and unless further need
566 for same, the evidence will be held ninety (90) days then destroyed in the following manner:

567
568 • All drugs or drug paraphernalia seized will be turned over to Corrections Investigation
569 Division (CID)
570 • All recyclable metals and plastics will be turned over to the Property Office
571
572 • All sharp instruments (i.e., knives and shanks) will be turned over to the K-9 staff for
573 destruction. **Note: Weapons used in assaults on staff and/or inmates will be remanded**
574 **to CID**
575
576 • All paper, cloth and other miscellaneous items will be turned over to the Fire and Safety
577 Inspector
578
579 • Cell phones and cell phone related accessories confiscated from offenders housed in
580 Community Work Centers, Private Facilities and Regional Facilities are to be forwarded to
581 the Corrections Investigation Division (CID) Office located at the Central Office. Items
582 confiscated at the State Institutions are to be forwarded to the Institutional CID Office. The
583 confiscated items along with the appropriate documentation for each item are to be
584 forwarded immediately or after final disciplinary action. Any item needed for criminal
585 prosecution should be forwarded upon completion of prosecution unless otherwise directed
586 by the prosecutor.

587
588 **Offender Not Guilty/Dismissed**
589

590 *Adult Correctional Institutions: Written policy, procedure, and practice provide that if an*
591 *inmate is found not guilty of an alleged rule violation, the disciplinary report is removed*
592 *from all of the inmate's files [5-ACI-3C-21].*

593
594 **Assistance to an Offender in a Hearing**
595

596 When it is apparent that an offender is not capable of effectively collecting and presenting
597 evidence on his own, a representative will be appointed to assist the offender. The
598 Superintendent or designee will make available representatives capable of assisting offenders
599 in disciplinary hearings and filing appeals upon offender's request.

600
601

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602 **Notification and Punishment**

603

604 • The Institutional Hearing Officer (IHO) will log all RVR's and final dispositions on a daily
605 basis.

606

607 • This log will be forwarded to the appropriate Warden/Community Corrections Director or
608 designee and to appropriate departments prior to the conclusion of each workday.

609 • They will ensure the immediate imposition of punishment.

610

611 **Disciplinary Hearing Docket**

612

613 The responsible Disciplinary Hearing Officer will prepare a Disciplinary Hearing Docket for all
614 daily scheduled offender disciplinary hearings. The docket will include for each offender:

615

616 • Date of hearing

617 • Name and MDOC number of the offender

618 • Housing and work/program assignment of the offender

619 • Rule violation number(s)

620 • Finding

621 • Recommended sanctions (if applicable)

622 • Name and title of the Disciplinary Hearing Officer

623

624 The Disciplinary Hearing Docket will be submitted to the responsible Associate Warden or
625 designee at the conclusion of offender disciplinary hearings each day. A weekly rule violation
626 pending log report will be submitted to the area warden.

627

628 *Adult Community Residential Services: The facility's disciplinary process is defined and
629 provides appropriate procedural safeguards, to include:*

630 • Report of incident and charge

631 • Notice

632 • Time to prepare for hearing

633 • Assistance as needed

634 • Timely hearing

635 • Opportunity to present evidence

636 • Fair decision

637 • Written notice of decision

638 • Opportunity to appeal [4-ACRS-6C-03].

639

640 **Appeals**

641

642 *Adult Correctional Institutions: Written policy, procedure, and practice grant inmates the
643 right to appeal decisions of the disciplinary committee to the warden/superintendent or
644 designee. Inmates have up to 15 days of receipt of the decision to submit an appeal. The
645 appeal is decided within 30 days of its receipt, and the inmate is promptly notified in
646 writing of the results [5-ACI-3C-23].*

647

648 The offender may appeal the decision of the hearing officer by using the Administrative Remedy
649 Program (ARP).

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650 If the offender refuses to sign for the RVR, the RVR will be documented that the offender
 651 refused to sign. The offender will have fifteen (15) days to appeal the RVR decision.

652 RVR appeals will not be logged and set aside.
 653 At the time of notification of a guilty finding in a disciplinary hearing, the inmate will be notified
 654 that he/she has the right to appeal any decision of, or disciplinary action taken by the
 655 Disciplinary Hearing Officer, directly to the Warden/Community Corrections Director or designee
 656 of the unit/center involved via the Legal Claims Adjudicator.

657
 658 This notification will be documented by having the inmate sign the front of the RVR indicating
 659 that he/she understands the right to appeal.
 660

661 If the inmate waives his/her right to appear and is found guilty, he/she cannot appeal the
 662 decision.
 663

664 The appeal will be submitted in writing within fifteen (15) days after a copy of the Disciplinary
 665 Hearing Officer's decision is offered to the inmate and will set forth in detail the grounds for any
 666 appeal.
 667

668 In the event the inmate is illiterate, at the request of the inmate, the inmate's case manager may
 669 assist him/her in writing the letter of appeal.
 670

671 The Warden/Community Corrections Director or designee has thirty (30) calendar days from
 672 receipt of the appeal to respond.
 673

674 During the appeal, the reviewer may affirm the action of the Disciplinary Hearing Officer or alter
 675 it as he/she deems just and proper except at no point in the appeal process will the penalty be
 676 increased.
 677

678 If the offender is not satisfied, he/she may file suit in state or federal court. The offender must
 679 provide the ARP number on the court forms.
 680

681 Criminal Violation

682 *Adult Correctional Institutions: Written policy, procedure, and practice provide that, where*
 683 *an inmate allegedly commits an act covered by criminal law, the case is referred to*
 684 *appropriate court or law enforcement officials for consideration for prosecution [5-ACI-*
 685 *3C-06].*

686 The Hearing Officer will forward a copy of any RVR considered felonious to the Corrections
 687 Investigation Division along with all relevant documents (i.e., Incident Reports, Use of Force
 688 Reports) concerning the violation for consideration of prosecution.
 689

690 This will not interfere with processing the rule violation through the administrative disciplinary
 691 hearing by the Hearing Officer.
 692

693 Restrictions

694 Disciplinary action will not be capricious or in the nature of retaliation or revenge. Corporal
 695 punishment of any kind is strictly prohibited.
 696

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700

Rule Violation Report Filing

701

When an inmate is found guilty of a rule violation the original RVR and all supporting documentation attached to it will be placed in the inmate's permanent MDOC master file.

702

703

704

705

706

Procedure for Loss of Earned Time

707

1. Designated Disciplinary Staff and Associate Warden or designee (IHO) will enter the RVR and findings into Offendertrak within twenty-four (24) hours after the disciplinary hearing is conducted. This includes all punishment(s) with starting and ending dates for the imposed punishment. Hearings conducted on weekends/holidays will be entered no later than the next working day.
2. The designated staff person who enters the RVR, which resulted in loss of earned time, is responsible for forwarding the original RVR with all supporting documentation to the Commissioner or designee for final approval. At Regional facilities, the Warden is responsible for forwarding the RVR and the supporting documentation to the Commissioner or designee.
3. The Commissioner or designee will forward all approved Loss of Earned Time RVRs to MDOC Records Department in order to modify the entry into Offendertrak accordingly.

713

714

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721

722

Procedures for Removal from Trusty Status

723

724

725

726

727

728

729

1. Designated Disciplinary Staff and Associate Warden or designee (IHO) will enter the RVR and findings into Offendertrak within twenty-four (24) hours after the disciplinary hearing is conducted. This includes all punishment(s) with starting and ending dates for the imposed punishment. Hearings conducted on weekends/holidays will be entered no later than the next working day.
2. Any rule violation that requires reclassification or removal from 30/30 trusty status will be delivered to the Associate Warden at state facilities the Classification Supervisor at private facilities, and the Warden at Regional facilities.
3. The Associate Warden, Classification Supervisor, or Warden will review and take the appropriate action by ensuring that a Staff Request is completed recommending the inmate be removed from Trusty Status. The rationale or justification and effective date for removal should be included on the Staff Request. The effective date for removal will be the date the inmate was found guilty of the rule violation.
4. The Associate Warden, Classification Supervisor, or Warden will review the Staff Request for its accuracy and forward it to the appropriate Assistant Director of Offender Services (ADOS).
5. Upon receiving the Staff Request, the ADOS will review and finalize the Staff Request within OffenderTrak.
6. Upon approval of the Staff Request, the ADOS will submit the Staff Request via the workflow inbox to the designated Records Staff.

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750

751 **DOCUMENTS REQUIRED:**

752

753 As required by this procedure and through the chain of command.

754

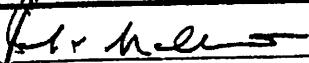
ENFORCEMENT AUTHORITY		
Reviewed and Approved for Issuance	 11-18-21	Date
	 11-29-21	Date
	Deputy Commissioner of Institutions	
	Deputy Commissioner of Community Corrections	

Exhibit # 17

ARP-2

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-634

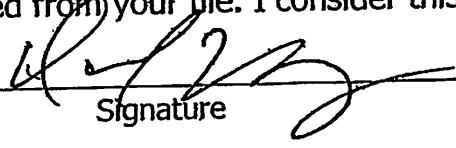
FIRST STEP RESPONSE FORM
For RVRs

You must return your response to the Legal Claims Adjudicator within 30 days of the date you signed for this request.

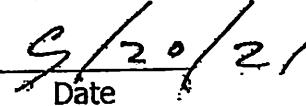
Offenders' Name and #: Jason Holloway #M0998
Unit: Wilkinson County Correctional Facility

1st Step Respondent: D. Vannoy
Title: Warden

In response to your ARP claim. In reference to your Rule Violations Report appeal. The information gathered reveals according to the reporting employee Sgt. Hall you tested positive for BUP 5 on your urine test and refused to submit to a urinalysis test on 7/16/2021. Your appeal is denied. RVR's #1939652 and #1939707 will not be expunged from your file. I consider this matter resolved at this level.



Signature

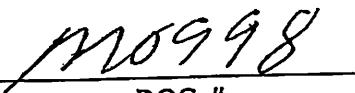


Date

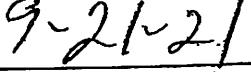
The above named inmate has fulfilled the requirements of the Administrative Remedy Program for an RVR appeal and is eligible to seek judicial review within 30 days of receipt of this First Step Response.



Inmate's Signature



DOC #



Date

Exhibit # 18

ARP-2

MISSISSIPPI DEPARTMENT OF CORRECTIONS Administrative Remedy Program

WCCF-22-89

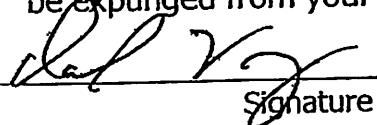
FIRST STEP RESPONSE FORM For RVRs

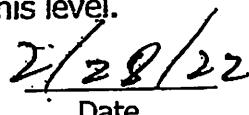
You must return your response to the Legal Claims Adjudicator within 30 days of the date you signed for this request.

Offenders' Name and #: Jason Holloway #M0998
Unit: Wilkinson County Correctional Facility

1st Step Respondent: D. Vannoy
Title: Warden

In response to your ARP claim. In reference to your Rule Violation Report appeal. The information gathered reveals according to Sgt. Hall you refused to submit urine for a reasonable suspicion drug test. Your appeal is denied. RVR #2011878 will not be expunged from your file. I consider this matter resolved at this level.

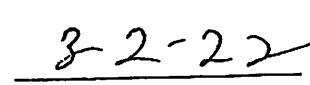

Signature


Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program for an RVR appeal and is eligible to seek judicial review within 30 days of receipt of this First Step Response.


Inmate's Signature


DOC #


Date

In The United States District Court for
The Southern District of Mississippi

Jason Holloway

Plaintiff

vs

civil action no. 5:21-cv-63-KS-RHWR

Scott Middlebrooks et al

Defendants

Motion for The Appointment
of Counsel

Plaintiff, Jason Holloway, pursuant to § 1915,
request this Court to appoint counsel to represent
him in this case for the following reasons.

1. The plaintiff is unable to afford counsel.
2. The issues involved in this case are complex.
3. The plaintiff, as a Protective Custody inmate, has
extremely limited access to the law library.

pg 2 of 2

4. Over 30 days ago, the plaintiff wrote letters to three attorneys, Thorn Glenn, Jacob Howard, and King & Spalding Law Firm, asking them to handle his case but he has not heard from any of them.
5. The plaintiff has a little /imited knowledge of the law.

Where fore, this Honorable Court should appoint counsel to represent the plaintiff.

Respectfully Submitted,

Jason Holloway

8-31-22

Jason Holloway # M0998
WCCF E-207
P.O. Box 1889
Woodville, MS 39669

In The United States District Court For The
Southern District of Mississippi

Jason Holloway # M0998

Plaintiff

vs

civil action no. 5:21-cv-63-KS-RHWR

Scott Middlebrooks et al

Defendants

Declaration In Support of Plaintiff's
Motion For The Appointment of Counsel

Jason Holloway states :

1. I am the plaintiff in the above-entitled case. I make this declaration in support of my motion for this appointment of counsel.
2. The complaint in this case alleges that the plaintiff was denied his religion, denied adequate medical care, and denied due process. The plaintiff also is challenging the condition of his confinement.

3. This is a complex case because it contains several different legal claims, with each claim involving a different set of defendants.
4. This case involves medical issues that may require expert testimony.
5. The plaintiff has demanded a jury trial.
6. The case will require discovery of documents and depositions of a number of witnesses.
7. The testimony will be in sharp conflict on several of the issues raised by the plaintiff.
8. The plaintiff has only a GED and has very limited legal education.
9. The plaintiff is serving his sentence on Protective Custody. For this reason, he has very limited access to legal materials and has no ability to investigate the facts of the case, for example, by locating and

interviewing other staff and inmate witnesses.

10. As set forth in the Memorandum of Law submitted with this motion, these facts, along with the legal merit of plaintiff's claims, support the appointment of counsel to represent the plaintiff.

Wherefore, the plaintiff's motion for appointment of counsel should be granted.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Signed this the 31 day of May, 2022.

Respectfully Submitted,
Jason Holloway

Jason Holloway # M0998
WCCF E-207
P.O. Box 1889
Woodville, MS 39669

In The United States District Court for The
Southern District of Mississippi

Jason Holloway

Plaintiff

vs

civil action no. 5:21-cv-63-KS-RHWR

Scott Middlebrooks et al

Defendants

Memorandum of Law in Support of
Plaintiff's Motion for The Appointment of Counsel

Statement of the Case

This is a civil rights case filed under 42 U.S.C. § 1983 by a state prisoner and asserting claims for the unconstitutional denial of religion, denial of due process, denial of adequate medical care and conditions of confinement. The plaintiff seeks damages as to all claims and injunction relief.

Statement of Facts

The Complaint alleges that the plaintiff was denied the right to practice his religion, that he was denied due process at all of his disciplinary hearings, that he was denied adequate medical care, that staff failed to follow the doctors orders to his medical ordered diet and his conditions of confinement.

Argument

In deciding whether to appoint counsel for an indigent litigant, the court should consider "the factual complexity of the case, the ability of the indigent to investigate the facts, the existence of conflicting testimony, the ability of the indigent to present his claim and complexity of the legal issues." Ulmer v Chancellor 691 F.2d 209 (5th Cir 1982)

In addition, courts have suggested that the most important factor is whether the case appears to have merit. Carmona v U.S. Bureau of Prisons, 243 F.3d 629 (2nd Cir. 2001)

1. Factual Complexity. The plaintiff alleges that several

staff at W.C.C.F. who are named defendants in this case violated several of the plaintiff's constitutional rights, by denying him to practice his religion, denied him adequate medical care, failed to follow the doctors orders of his medical ordered diet, denied him due process at his disciplinary hearings, and challenging his conditions of confinement. The sheer number of claims and defendants makes this a factually complex case.

In addition, one of the plaintiff's claims involve the denial of medical care; it will probably be necessary to present a medical expert witness or to cross-examine medical witnesses called by the defendants, or both. The presence of medical or other issues requiring expert testimony supports the appointment of counsel. Montgomery v Pinchak, 294 F.3d 492 (3rd Cir 2002); Moore v Mabus, 976 F.2d 268 (5th Cir 1992); Jackson v. County of McLean, 953 F.2d 1070 (7th Cir 1992).

2. The plaintiff's ability to investigate. The plaintiff

is a Protective Custody inmate and has no ability to investigate the facts. For example, he is unable to identify, locate, and interview other inmates who were housed on the same zone as he is and have been moved to other facilities. He is in the same situation with regard to developing the facts from other staff members that no longer work at the facility a factor that several Courts have cited in appointing counsel. Tucker v Randell, 948 F.2d 288 (7th Cir 1991); Gaston v Coughlin, 679 F. Supp. 270 (W.D.N.Y 1988). In addition, this case will require considerable discovery concerning the identity of witnesses, the officers' reports and statements regarding the disciplinary hearings and the plaintiff's medical history. See Pacham v Johnson, 126 F.3d 454 (3rd Cir 1997) (holding counsel should have been appointed because "prisoner's lack of legal experience and the complex discovery rules clearly put him at a disadvantage in countering the defendants' discovery tactics... these [discovery] rules prevented [the plaintiff] from presenting an effective case below.").

3. Conflicting Testimony. The plaintiff's account of all

the constitutional violations will be in great conflict with the testimony of the defendants. This aspect of the case will be a credibility contest between the defendants and the plaintiff (and such inmate and other witnesses as can be located). The existence of these credibility issues supports the appointment of counsel. Steele v Shah, 87 F.3d 1266 (11th Cir 1996); Gaston v Coughlin, 679 F.Supp. at 273.

4. The ability of the indigent to present his claim. The plaintiff is an indigent prisoner with no legal training, a factor that supports the appointment of counsel. Brauch v Cole, 1681 F.2d 264 (5th Cir 1982); Forbes v Edgar, 112 F.3d 262 (7th Cir 1997). In addition, he is confined to a zone as a Protective Custody inmate with very limited access to legal materials. Rayes v Johnson, 969 F.2d 700 (8th Cir 1992) (citing lack of ready access to a law library as a factor supporting the appointment of counsel).

5. Legal Complexity. The large number of defendants, some who are supervisory officials, presents complex

legal issues of determining which defendants were sufficiently personally involved in the constitutional violations to be held liable, Hendricks v Coughlin; 114 F.3d 390 (2d Cir 1997).

6. Merit of the Case. The plaintiff's allegations, if proved, clearly would establish constitutional violations. The denial of religion in the complaint clearly states a 1st Amendment Claim.

The allegations of denial of medical care amount to deliberate indifference to prisoners medical needs, Estelle v Gamble, 429 U.S. 97 (1976). The unjustified denial of witnesses, conviction of a disciplinary offense with no supporting evidence, and the failure to give a meaningful statement of reasons for the decisions are all violations of clearly established due process principles. See Ponte v Real, 471 U.S. 491 (1985); Superintendent v Hill, 472 U.S. 445 (1985); Wolff v McDonnell, 418 U.S. 539 (1974). On its face, then, this is a meritorious case.

Conclusion

pg 7 of 7

for all the foregoing reasons mentioned herein,
the court should grant the plaintiff's motion and
appoint counsel in this case.

Respectfully Submitted,
Jim May

5-31-22

Jason Holloway # M0998
W.C.C.F. E-207
P.O. Box 1889
Woodville, MS 39669

In The United States District Court
for The Southern District of Mississippi

Holloway

Plaintiff

vs

case No. 5:21-cv-63-KS-RHWR

Middlebrooks et al

Defendant(s)

Plaintiff's Complete Amended
Complaint with Jury Demand

I Jurisdiction + Venue

1. This is a civil action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under color of state law, of rights secured by the United States Constitution and the Mississippi Constitution. The Court has jurisdiction under 28 U.S.C. Section 1331 and 1343 (a)(3). Plaintiff seeks declaratory relief pursuant to 28 U.S.C. Section(s) 2201 and 2202. Plaintiffs' claims for injunctive relief are authorized by 28 U.S.C. section(s)

2283 and 2284 and Rule 65 of the Fed. R. C.P.
The plaintiff also seeks damages. The plaintiff
also alleges the torts of negligence under
Mississippi Law.

II Plaintiff

2. Plaintiff, Jason Holloway, is and was at
all times mentioned herein a prisoner of the
State of Mississippi in the custody of the
Mississippi Department of Corrections (M.D.O.C.)
He is currently confined at the Wilkinson
County Correctional Facility (W.C.C.F.). He has
been housed at WCCF since Feb. 25th 2021 and
he is still currently housed at W.C.C.F.

III Defendants

3. Defendant, Scott Middlebrooks is the former
warden of W.C.C.F. and he is tasked with the
orderly running of the facility and making
sure that the plaintiff receives adequate medical

care, that is medical ordered diet is followed, that he receives fair hearings at his disciplinary hearings, that he gets to scheduled medical appointments, that all policies are being followed, that he gets to practice his firm religious belief and that there is adequate staff to safely run the prison.

4. Defendant, Dr. J. Burke is the medical doctor at W.C.C.F. And has the task to make sure the plaintiff receives adequate, timely medical, dental, and mental health treatments.
5. Defendant, Unknown former H.S.A, Saint Julian is the former Health Service Administrator (H.S.A.) and is responsible for making sure the medical department has adequate staff and that plaintiff receives adequate medical, dental, and mental health treatment
6. Defendant, Management & Training Corporation (M.T.C.) is a for profit organization. And is contracted with M.D.O.C. to operate. And run

W.C.C.F. M.T.C. is responsible for making sure that it properly as adequate staff to operate and safely run the prison. M.T.C. has failed to adequately staff W.C.C.F. and has failed to train, supervise, and provide adequate staff to operate and run W.C.C.F.

7. Defendant, Unknown Dunmore, is the former kitchen supervisor at W.C.C.F. She is responsible for making sure that the plaintiff received his prescribed medical ordered diet and receives adequate nutrition on his trays.

8. Defendant, D. Anthony is the Chaplain at W.C.C.F. and is responsible to make sure that the plaintiff gets to practice his religion as a Muslim and his Islam faith.

9. Defendant, George Castro is the former Deputy Warden at W.C.C.F. And he is responsible for the orderly running of the facility and make sure the plaintiff gets adequate medical.

dental and mental health care, that his medical ordered diet is followed, and that he gets to scheduled medical appointments, that all policies are being followed, that he gets to practice his religious belief, and that there is adequate staff to properly and safely run the facility

10. Defendant, William DeRevere is the Deputy Warden at W.C.C.F. And is responsible for the orderly running of the facility, and making sure the plaintiff gets adequate medical, dental, and mental health care, that his medical ordered diet is followed, and that he gets to scheduled medical appointments, that all policies are being followed, that he gets to practice his religious belief, and that there is adequate staff to properly and safely run the facility.

11. Defendants Vital Core Health Strategies is the contracted medical company with M.D.O.C. They are responsible for making sure the plaintiff is provided with adequate medical, dental and

mental health treatment. That there is adequate staff to provide proper medical care.

12. Defendant, Unknown Ware is the disciplinary investigator at W.C.C.F. She is responsible for getting witness statements and investigating the Rule Violation Reports (R.V.R.)

13. Defendant, Unknown J. Pendleton is the disciplinary hearing officer. She is responsible for looking at the evidence gathered by the investigator, and giving the plaintiff a fair and partial hearing.

14. Defendant, Unknown D. Vannoy is the Warden at W.C.C.F. He is responsible for the orderly running of the facility. For making sure the plaintiff gets adequate medical, dental and mental health care, that his medical ordered diet is followed, that he is able to practice his religion, that he gets to scheduled medical appointments, that all policies are being followed, and that there is adequate

staff to properly and safely run the facility.

15. Defendant, Sgt. Joseph Hall is a correctional sergeant at W.C.C.F. He is responsible for doing the drug testing here at W.C.C.F.

16. Defendant V. Day is the Unit Manager at W.C.C.F. She is responsible for making sure that her units are properly runned. By making sure the plaintiff gets adequate medical treatment, gets to practice his religion, gets medical ordered diet, gets to scheduled medical appointments, and has adequate staff to properly and safely run her units, and provide plaintiff with medical ordered chair.

17. Defendant Unknown Sgt. Reese is the Unit Zone Sergeant and zone counselor. She is responsible for making sure the zones are run properly. By making sure the plaintiff gets to scheduled medical appointments, gets to practice his religion, gets medical ordered diet and chair for cells, And has adequate staff to properly run her zones.

18. Defendant, Unknown Nurse Robinson is a nurse at W.C.C.F. She is responsible to make sure that the plaintiff gets adequate medical, dental, and mental health treatment. She is also responsible for ordering the plaintiff's prescribed medications.
19. Defendant, Unknown Mrs Taylor is the medical clerk here at W.C.C.F. She is responsible for scheduling of sick call and other medical appointments and for ordering the plaintiff's medical shoes and other supplies. For making sure the plaintiff gets scheduled and seen in a timely manner.
20. Defendant, Unknown Officer Boyd is a correctional officer at W.C.C.F. where she works in medical. She is responsible for making sure the plaintiff gets to all scheduled medical appointments as she is the escort officer for transporting the plaintiff to and from medical.

21. Defendant, Unknown Ms. Hunt is the current kitchen supervisor at W.C.C.F. She is responsible for making sure that the plaintiff receives adequate nutrition on his trays and that his medically ordered diet is properly followed.
22. Defendant, Laura Donnelly, R.D. is the former dietitian at W.C.C.F. She is responsible for making sure the plaintiff receives adequate nutrition and that the plaintiff's medical ordered diet is followed.
23. Defendant, Ellen Ossorio, R.D., MS, LDN, is the current dietitian and is responsible for making sure the plaintiff receives adequate nutrition and that the plaintiff's medical ordered diet is followed.
24. Defendants, Jane And John Does 1-100 are other M.T.C., MDOC, Vital Core Health Strategies, or W.C.C.F. employees that the plaintiff is

unaware of at this time, who could also have been ~~are~~ currently are responsible for the violations of the plaintiff's constitutional rights.

25. All of the named defendants in this case are being sued in both their individual and official capacities.

IV Facts of the Case

26. The plaintiff was transferred from C.M.C.F. to W.C.C.F. around Feb. 25th 2021. Upon arriving at W.C.C.F. during the intake process the plaintiff advised the medical personnel of all his medical and mental health issues. The plaintiff also Case Manager Dukes during intake that he was of the Islam faith that he had changed his religion at C.M.C.F. in 2019. The plaintiff was placed in a holding cell for about 7 days then taken to segregation on or around March 1st 2021 pending protective custody.

Around March 30th 2021 I was moved from segregation to C,D,E, housing unit and was placed on Echo Pod on Protective Custody (P.C) cell 204. Since then have been moved to cell 206 and am currently in Echo cell 207.

IV Denial of Medical Care

27. The plaintiff turned in sick calls to the nurses while housed in segregation on the following dates to the best of my knowledge; 3-1-21, 3-3-21, 3-10-21, 3-17-21, the plaintiff turned in approx 8 sick calls while he was housed in segregation and never got seen for none of them.
28. Around 3-25-21 I sent a inmate request to defendant Saet Julian the former H.S.R. about not getting seen for sick-calls and not receiving my prescribed medication. Never got a response to this request.

29. Around 3-28-21 I submitted my ARP about the denial of medical and mental health care I was never seen for any sick calls for the whole time I was in segregation from 3-1-21 - 3-31-21. I completed the ARP process around July 2nd 2021. (See Exhibit #1)

30. On or around 4-1-21 I was finally taken to medical and seen by defendant Saint Julian the former H.S.A. She only seen me for two (2) of my sick calls and didn't do nothing but tell me that I would be seen by defendant Burke's the next day.

31. I was never taken to see the Dr. the next day after making several request nor was I seen by him for a whole other (2) two months. After being referred to him.

32. Around 6-14-21 defendant Middlebrooks came around the Unit and I talked to him about me not being seen for my sick calls or getting to my appointments. He typed something

into his phone And told me he would take care of it,

33. Around 6-16-21 I was finally seen for the first time by Defendant Burke's And he ordered an X-Ray of my leg and ankle where the screw seems to be coming out. He gave me a breathing treatment. He didn't do anything else but try to rush and see me and get me out of his office.

34. On 6-18-21 I was taken back to medical and a X-Ray was taken and once again I asked Dr. Burke's for something for pain and about ordering my medical shoes.

35. Since the filing of this Complaint and until now the plaintiff has filled out numerous more sick calls and have been seen for only a portion of them. The plaintiff is still not being seen in a timely manner for his sick calls and is still not receiving adequate medical, dental or mental

health care

36. The delay And inadequate medical, dental and mental health care at W.C.C.F. violates the plaintiff's Constitutional Rights of the 8th Amendment. The plaintiff is still in much pain in his leg due to the rod and screws. Its hard for me to put pressure on my left leg or even walk at times. And is still not receiving adequate medical, dental and mental health care.

VI Denial of Religion

37. When the plaintiff arrived at W.C.C.F. on 2-25-21 during the intake process when case manager Dukes was doing my intake she asked me what my religion was. I told her I was of the Islam faith that I had changed my religion at C.M.C.F. in 2019 And started practicing Islam.

38. Upon arriving And being housed at W.C.C.F.

pg 15 of 34

I sent out several inmate request forms to the Chaplains Department and to the kitchen advising them that I was of the Islam faith and that Ramadan was approaching and that I wished to participate in Ramadan.

39. When Ramadan started the plaintiff was told that he was not on the list to participate in Ramadan. So the plaintiff still fasted as required for the month of Ramadan. During Ramadan I am required to eat before sunrise and not again until after sunset. Ramadan started April 13th 2021 and Ended May 13th 2021.

40. Since the plaintiff was not on the list to participate in Ramadan his trays were served with the other inmates. Which most of the times were delivered after the sun came up and before the sun went down. During this time the plaintiff saved what he could off of each tray and ate it at the appropriate time. Which was very little causing the plaintiff to suffer from severe

weight loss, stomach cramps from hunger, and mental and emotional distress.

41. The plaintiff was seen by Dr. Burke on 6-16-21 and because of the severe weight loss the plaintiff had suffered from fasting and not being able to eat during Ramadan Dr. Burke ordered me a special diet tray. That tray being a Nutrition Support tray which is suppose to have more nutrition than the regular trays served to the other inmates, (See Exhibit # 2) (See also Exhibit # 3) which is were the diet tray had to be reordered cause the plaintiff is still under weight.

42. The plaintiff filed his ARP concerning the denial of his religion. When the plaintiff filed his original ARP he attached to it a copy of his change of religion form that was done at C.M.C.F. But the Chaplain and Warden said that they didn't have a copy on file which they do. The ARP process was complete on 7-14-21 (see Exhibit # 4).

VII Furnishings

43. The plaintiff is on P.C. and is a closed custody (C-Custody Status) inmate. Being a C-Custody inmate the plaintiff is only allowed out of his cell for 1 hour a day 5 days a week. On the weekends and holidays he is locked in his cell with another inmate 24 hours a day. All other times the plaintiff is locked in his cell for 23 hours a day.

44. The cell the plaintiff is confined in consist of a toilet, a sink, a light, a door with a small window and tray slot, and a set of bunk beds. There is no table or chair in his cell or any other cell. I am either forced to sit on the floor, sit or lay on my rack, or stand up, which he has to do to watch T.V. at the cell door window. There is no place to sit and write or do legal work and write letters etc.

45. The plaintiff does lots of writing, legal work and research, along with correspondence and

pg 18 of 34

college courses that are outside of the facility that I'm voluntarily taking to better myself. In order to write, do research or legal work the plaintiff is forced to either sit on the floor or sit on his rack to do these things.

46. Being forced to sit either on the floor or on the bed to write and do legal work hunched over for hours writing and do legal work has caused me to suffer severe back pains in my lower and upper back.

47. I have had to fill out several sick calls to get pain meds for my back and even had a X-Ray done on it because of the severe pain that having no place to sit and write has caused me.

48. I filed an ARP about this only to be told that no table will be installed in the cells and could only receive a chair if it was a order from the doctor. (See Exhibit # 5).

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49. Since the filing of this ARP and the response from Defendant Vannoy about the chair I have been given a chair profile by the doctor. Even with the chair profile I still have not been provided with a chair And I'm still having to hunch over and write and stuff which is still causing me severe back pains (See Exhibit #6)

VIII Denial of Adequate Nutrition and failure
To Follow Ordered Medical Diet

50. The plaintiff has a severe allergic reaction to corn products has he told the medical staff upon his arrival at W.C.C.F. The plaintiff had a order from C.M.C.F. Showing that he was to have no corn products on his tray.

51. There was an order done by Dr Burke before I was put on the nutrition support diet but every diet order had allergied to Corn or no corn products wrote on them But there is still being corn products placed on my tray.
(see Exhibits 2,3,7 &8)

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52. There is not enough nutrition on my trays to comply with the ordered diet. The corn products constantly being put on my tray and when there not put on the tray I get nothing to substitute for the corn products. This causing me not to get the ordered amount of calories.

53. The trays do not have the adequate amount of food on them. Nor do I get everything that is on the menu that is suppose to cover the amount of protein, nutrition and calories that I'm suppose to have. I'm to receive everything on the menu with the proper portion of food being served. (See Exhibits 2,3,7,8,9, & 10)

54. The staff does not monitor the feeding of the plaintiff or other inmates. The tray cart is rolled on the zone and floorwalkers pass the trays out. So when the plaintiff diet tray is not on the cart or not correct (has corn products on it) the plaintiff has no way to send it back to get it fixed so he has to miss portions of his meal or the whole

pg 21 of 34

if corn products seem to have touched other food on the tray. This also causing me stomach pains from hunger and weight loss.

IV Drug Testing

55. The plaintiff has been drug tested numerous times here at WCCF. Defendant Sgt. Joseph Hall does' not follow MDOC policy when it comes to doing the drug test. By him not following policy it has caused the plaintiff to get several RVR's (See Exhibits 11-13)

56. According to policy when an offender can't produce urine he is suppose to be detained for up to 4 hours. After he has been detained for 4 hours if the offender still can't produce urine he then receives a RVR for refusing to submit to a drug test (See Exhibit # 14)

57. Defendant Joseph Hall has wrote me several RVRs for refusing to submit to a drug test, when I wasn't

refusing, I just couldnt produce urine on command and asked Hall each time to either detain me or come back and test me. He always refuses and just wakes me up for refusing. This causing me to be placed on restriction and keeping me in C-custody. If it wasnt for the RVR's for Hall not following policy I would have my B-custody pants and not be on restrictions.

58. I filed about Hall not following policy through the ARP process and Defendant Vannay said that Hall was following policy according to Hall's Statement, But Camera's and other statements from other inmates clearly shows that policy is not being followed. (See Exhibit # 15)

X Denial of Due Process

59. The plaintiff has been denied his right to Due Process at each and every disciplinary hearing he has had since being housed at W.C.C.F. all because WCCF staff and defendants refuse to follow

policy. If they would follow policy like they should these violations wouldn't occur.

60. According to policy a RVR is to be wrote and served on the offender within 24 hours of the time of the violations. The delivering employee will document the offenders request for investigation, list witnesses on the RVR and indicate whether the offender wants his hearing.

61. Policy also states that when a RVR is reported the disciplinary investigator will begin the investigation within 24 hours of the same time the rule violation is reported and complete it without reasonable delay.

62. The investigator will be neutral and unbiased in conducting interviews gathering information, in seeking the truth, the investigator will interview the accused and any other persons considered having pertinent information, the investigator will provide factual information, have access to all information, and

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will receive cooperation from all personnel. Any staff member called as a witness will not refuse to give a statement.

63. Policy states that the offender charged with a RVR will be allowed to present documentary evidence and call defense witnesses

64. Policy states that disciplinary hearings are conducted by an impartial person or panel of persons, the hearing officer will hear all pertinent information surrounding an alleged rule violation, will question the accused offender, witnesses and any other person appearing at the hearing.

65. Policy, procedure, and practice provide that inmates have an opportunity to make a statement, present documentary evidence and request witnesses.

66. Policy, procedure, and practice provide that the disciplinary committee's decision is based solely on information obtained in the hearing process, including

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staff reports, the statements of the inmate charged, and evidence derived from witnesses and documents.

67. Written policy, procedure, and practice provide for review of all disciplinary hearings and dispositions by the warden, superintendent or designee to assure conformity with policy and regulations (See Exhibit # 16)

68. If these policies would have been followed the plaintiff would not have been found guilty of the RVR's and would not be punished for the failure of defendants not following policy.

69. The plaintiff requested witnesses and they were not called to the hearing or allowed to give a statement on the plaintiff's behalf. One of them being a correctional officer. (See Exhibits 11, 12, 13, 17 + 18)

70. There was no full investigation done. If there would have been it would have proved that defendant Hall didn't follow policy and that the RVR was bogus.

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71. Since policies were not followed the plaintiff was denied his Due Process rights. Thats the whole reason for policies is to keep inmates from having their constitutional rights violated.

XI Exhaustion of Administrative Remedies

72. The plaintiff has exhausted his administrative remedies with respect to all claims and all of the named defendants in this case. (See Exhibits 1, 4, 5, 7, 8, 15, 17, and 18)

XII Claims for Relief

73. The actions of defendants Middlebrooks, Vannoy, M.T.C., Dr. Burke, HSP Saint Julian, Vital Care Health Strategies, Revere, Castro, Day, Reese, Boyd, Taylor and Robinson in failing to get the plaintiff to his required medical appointments, the delay in seeing the plaintiff, ignoring his request, and not providing the plaintiff with adequate medical, mental health and dental care, constitutes deliberate indifference

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to the plaintiff's serious medical needs.

74. The actions of defendants Middlebrooks, VanNooy, M. T. C., DeRevere, Castro, Anthony, Day, Reese and Jane & John Does in denying the plaintiff to participate in Ramadan and practice his religion constitutes the denial of religion under the First Amendment of the United States Constitution. And under the Religious Land Use and Institutionalized Persons Act of 2000 (RLU IPA) U.S.C.S. § 2000cc to 2000 cc-5.

75. The actions of defendants Middlebrooks, VanNooy, M. T. C., DeRevere, Castro, Day, and Reese for denying the plaintiff a table, and chair in his cell causing him to suffer severe back and leg pain. Constitutes cruel and unusual punishment under the Eighth Amendment to the United States Constitution.

76. The actions of defendants Middlebrooks, VanNooy, M. T. C., DeRevere, Castro, Day, Reese, Dunmore, Hunt, Donnelly, Ossorio, and Jane & John Does for not

providing the plaintiff with adequate nutrition and failing to follow the prescribed diet of the doctor constitutes cruel and unusual punishment under the Eighth Amendment of the United States Constitution.

77. The actions of defendants Middlebrooks, Vannoy, M. T. C., DeRevere, Castro, Hall, Penndleton, Ware, and Jane and John Does for not following policy during drug testing, and disciplinary proceedings constitutes cruel and unusual punishment and denial of Due Process under the Eighth and Fourteenth Amendments of the United States Constitution.

XIII Relief Requested

Wherefore, plaintiff requests that the court grant the following relief:

A. Issue a declaratory judgment stating that:

1. The denial of adequate medical, mental, and dental care from defendants Middlebrooks, VANNOY, M.T.C. DeRevere, Castro, Burke, Julian, Robinson, Taylor, Vital Core, Boyd, Day and Reese violated and continue to violate, the plaintiff's rights under the Eighth Amendment of the United States Constitution.
2. The denial of defendants Middlebrooks, VANNOY, M.T.C., DeRevere, Castro, Day and Reese for not providing the plaintiff with a table and chair. Violated the plaintiff's and continue to violate the plaintiff's Constitutional rights under the Eighth Amendment of the United States.
3. The denial of defendants Middlebrooks, VANNOY, M.T.C., DeRevere, Castro, Anthony, and Jane and John Does for not allowing the plaintiff to participate in RAMADAN or practice his religion violated and continues to violate the plaintiff's First Amendment Right under the United States Constitution.

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4. That defendants Middlebrooks, Vannoy, MITC, DeRovere, Castro, Pendleton, Ware, and Hall for not following policy and not allowing plaintiff to call witnesses or do a thorough investigation and have a fair hearing at his disciplinary hearings violated and continue to violate the plaintiff's Eighth and Fourteenth amendment of cruel and unusual punishment and Due Process rights of the United States Constitution.

B. Issue an injunction ordering defendants, or their agents to:

1. Immediately arrange for the plaintiff to been seen by a orthopedic specialist for the removal of the steel rod and pins in his left leg.
2. Carry out without delay the treatment directed by such medical practitioner.
3. Provide plaintiff with adequate and timely medical

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mental health and dental care.

4. Order the defendants to install tables and chairs in the cells for the plaintiff.
5. Order defendants to expunge all RVR's since arriving at W.C.C.F. from the plaintiff's institutional record.
6. Order defendants to follow policy when taking urine or drug test and all disciplinary proceedings to avoid further constitutional violations.
7. Order defendants to allow plaintiff to participate in all upcoming RAMADAN, Taleem, and Jumah services and practice his religion freely.
8. Immediately order defendants to provide plaintiff with adequate nutrition and follow the plaintiff's medical ordered diet. And quit putting corn products on the plaintiff's trays.

C. Award compensatory damages in the following amounts:

1. \$50,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., Dr. Burke, Julian, Vital Core, DeRevere, Castro, Taylor, Robinson, Boyd, Reese and Day for the physical and emotional pain and suffering for the delay, denial, and ignoring the plaintiff's serious medical needs
2. \$25,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Anthony, Day, Reese, and Jane + John Does for the denial of not letting the plaintiff participate in Ramadan and practice his religion, which caused physical and emotional pain to the plaintiff
3. \$5,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Day, and Reese for the physical and emotional pain sustained to plaintiff for not having a table or chair in cell

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4. \$25,000⁰⁰ jointly and severally against defendants Middlebrooks, VANNOY, M.T.C., DeRevere, Castro, Day, Reese, Dunmore, Hunt, Donnelly, Ossorio, and Jane & John Does for the physical and emotional pain and suffering the plaintiff suffered from the denial of providing the plaintiff with adequate nutrition and not following his prescribed medical diet.

5. \$10,000⁰⁰ jointly and severally against defendants Middlebrooks, VANNOY, M.T.C., DeRevere, Castro, Halls, Pendleton, Ware and Jane & John Does for the punishment, including deprivation of privileges, liberty and amenity, and emotional injury resulting from their denial of due process in connection with the plaintiff's RVR's and disciplinary proceedings.

D. Award punitive damages in the following amounts:

1. \$10,000⁰⁰ each against defendants Middlebrooks, VANNOY, M.T.C., DeRevere, Dr. Burke, Julian, Vital Core, Castro, Taylor, Robinson, Boyd, Reese and Day.

2. \$2,500⁰⁰ each against defendants Pendleton Ware,
Hall

3. \$5,000⁰⁰ each against defendant Anthony, Jane and
John Does.

E. Grant such other relief as it may appear that
plaintiff is entitled.

XXXX Verification

78. I have read the foregoing complaint and
hereby verify that the matters alleged therein
are true and correct, except as to matters alleged
on information and belief, and, as to those, I believe
them to be true.

Pursuant to 28 U.S.C. § 1746, I, Jason Holloway
declare under the penalty of perjury that the
foregoing is true and correct.

Jason Holloway # M0998

W.C.C.F. E-207

P.O. Box 1889
Woodville, MS 39669

Respectfully Submitted,
Jason Holloway
Jason Holloway, pro se
5-13-22

Exhibit # 1

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-348

SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Jason Holloway #M0998
Location: Wilkinson County Correctional Facility

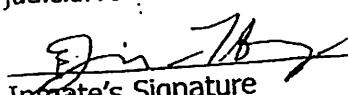
From: J. Burks
Title: Doctor

You were seen by me 6/16/21
I have all your questions and
concerns were addressed


Signature

7/1/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program and is eligible to seek
judicial review within 30 days of receipt of the Second Step Response.


Inmate's Signature

M0998
DOC #

7-2-21
Date

Exhibit #2

COPY

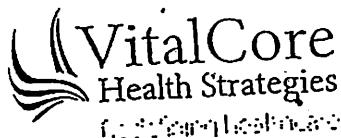
Medical Restricted Diet Order Form

Name: Jason Holloway ID # MO998
 Housing Location: E 204
 Start Date: 6/16/21 Expiration/Termination Date: 6/16/22

DIET ORDER: (Check ONLY ONE diet at a time)

 Dental Mechanical (liberal texture modification; chewing problems) Pregnancy/Nutrition Support Low Salt/Low Fat Diabetic Diet with HS snack No Concentrated Sugars Diet Full Liquid Diet (5-day max) Clear Liquid Diet (3-day max) Long Term Full-Liquid Diet Bland (no spice, onion, tomato, pepper) Other, Please describe dietary needs ALLERGYED to CoenComments: HBulkeApproved By (Medical or Dental Signature): HBulkeName/Position: MMReceived In Food Service: _____
(Enter Time and Date)Received by: _____
(Food Service Staff Signature)

Exhibit #3



Form #121

Revised: 3-30-2020

MEDICAL DIET ORDER FORM

FACILITY: VITALCORE

3/18/22

DIET START DATE

NAME: Hawcooky Jason
 Last: First: MI: MI
 ID#: 110998

DOB: 5/28/78 MALE FEMALE

3/18/22

DIET START DATE

Check one Diet Order Below

Please contact the Regional Dietitian if a diet is needed which is not on the standard list below.

Clear Liquid (Limit 3 Days)	Diabetic- Consistent Carbohydrate (No HS Snack)
Full Liquid.(Limit 3 Days)	Diabetic- Consistent Carbohydrate (Includes HS Snack)
Full Liquid (Long Term)	Insulin Dependent Diabetic - 1800 Calorie
Enhanced Calorie/ Protein	Insulin Dependent Diabetic - 2500 Calorie
Lower Fat/ Cholesterol/ Sodium	Renal Disease (Dialysis)
Higher Fiber	Renal Disease (Non-Dialysis)
Gluten Free	Dental Mechanical
Low Lactose	Other: <u>Allergies - NO COBNS</u>

SIGNATURES

Medical Authorization for Diet Order: YES NOOrdered-By: BrakkeDate: 3/18/22

Received In Food Department By

Date

Exhibit #4

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-469
SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Jason Holloway #M0998
Location: Wilkinson County Correctional Facility

From: S. Middlebrooks
Title: Warden

In response to your ARP claim. In reference to you requesting to see the IMAM and be given the right to practice your religion/receive the special trays that are given when Ramadan is complete. The information gathered reveals according to Chaplin Anthony he does not have a change of religion form on file for you, so you need to update your change of religion form showing your religion as Muslim and submit it to Chaplin Department. I consider this matter resolved at this level.


Signature

7/14/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.


Inmate's Signature

M0998

DOC #

7-14-21
Date

Exhibit #5

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-807

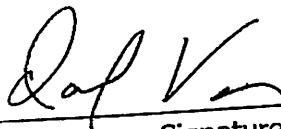
SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Jason Holloway #M0998
Location: Wilkinson County Correctional Facility

From: D. Vannoy
Title: Warden

In response to your ARP claim. In reference to a chair and table installed in your cell. No table will be installed in the cells. You can receive a chair only if you have a medical order from the Doctor stating you need a chair. I consider this matter resolved at this level.


Signature

12/31/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.


Inmate's Signature

M0998

DOC #

1-5-22
Date

Exhibit #6

COPY

WILKINSON COUNTY CORRECTIONAL FACILITY MEDICAL PASS	
NAME:	Holloway, Jason MDOC # 110998
RX:	Chair for cell
DIET:	
() LAY-IN	EXP. DATE
() CUTHCES	EXP. DATE
() VITAL SIGNS	EXP. DATE
() OTHER	EXP. DATE
() ACE	EXP. DATE
() SPLINT	EXP. DATE
() KOPS'	EXP. DATE
SIGNATURE	DATE
 3/18/22	

Exhibit # 7

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-225
SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: **Jason Holloway #M0998**

Location: **Wilkinson County Correctional Facility**

From: **S. Middlebrooks**

Title: **Warden**

In response to your ARP claim. In reference to you requesting to be served the correct diet that was ordered with no corn products and to receive a snack bag. According to Food Service Dunmore you are receiving the correct diet tray and your Medical Diet Order Form was revised on 3/1/2021 in which you received a copy with your first step response with no snack bag ordered. I find this matter resolved at this level.



Signature

5/1/21

Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.



Inmate's Signature

M0998

DOC #

5-5-21

Date

Exhibit #8

MISSISSIPPI DEPARTMENT OF CORRECTIONS Administrative Remedy Program

WCCF-22-63

SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Jason Holloway #m0998
Location: Wilkinson County Correctional Facility

From: D. Vanney
Title: Warden

In response to your ARP claim. In reference to you requesting your food tray be fixed to Doctors orders, extra food with no corn products. The information gathered reveals you stated in your original complaint you were not receiving a sandwich at last meal served. You also stated corn products are continuing to be placed on your tray. According to Ms. Hunt you receive your sandwich with your dinner and no corn product is being placed on your tray. You Inmate Jason Holloway #M0998 also stated you were receiving your sandwich. I consider this matter resolved at this level.

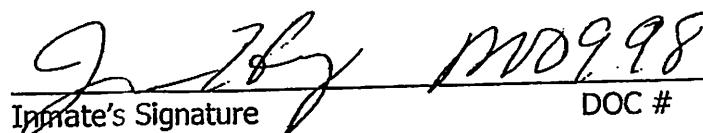


Signature

3/18/22

Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.


Inmate's Signature

DOC #

3-22-22

Date

MD998

Trinity Services Group		MTC Mississippi Units revised 2021		Regular		Wednesday	
Thursday		Friday		Saturday		Sunday	
Breakfast	St						
Oatmeal w/ Brown Sugar	1 Cup	Grits w/Sugar & Margarine	1 Cup	Oatmeal w/ Brown Sugar	1 Cup	Grits w/Sugar & Margarine	1 Cup
French Toast Batter	2 Each	Egg Patty	3 WZ	Oatmeal w/ Brown Sugar	1 Cup	Margarine	1 Cup
Syrup	1/4 Cup	Hash Brown Potatoes	3/4 Cup	Pancakes 4"	3 Each	Breakfast Meat Gravy	1 Cup
Breakfast Sausage	2 Wz	Biscuit	2 Each 1/54	Hash Brown Potatoes	3/4 Cup	Hash Brown Potatoes	3/4 Cup
Margarine w/Vit A#	1 Tbsp	Cut		Hash Brown Potatoes	2 Each 1/54	Biscuit	2 Each 1
Milk	1 Cup	Jelly	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	Cut
Pepper PC	1 Each	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp
Salt PC	1 Each	Dairy Drink PC	1 Each	Dairy Drink PC	1 Each	Milk	1 Cup
		Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
		Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each
Lunch							
Turkey Stir-Fry	3/4 Cup	Stew Gr. & Chili	1 1/4 Cup	Salisbury Patty	3 Ounce	Chili Mac Casserole	1 1/4 Cup
Rice	1 Cup	Rice Crocied	1 Cup	Patty	1/4 Cup	Enriched Bread	2 slice
Peas	1/2 Cup	Peas & C. Potots	1/2 Cup	Cornbread	1/54 Slice	Chili with Beans	1/2 Cup
Roll	1 Each	Cornbread	1/54 Slice	Mashed Potatoes	1 Cup	Shredded Cheese	1/2 WZ
Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Fruit	1 Tbsp	Sauces Salsa	2 WZ
Glazed Cake	1/54 Cup	Cookies	2 Each	Margarine w/Vit A#	1 Tbsp	Tortilla Chips	1 WZ
Fruit Drink with VIt C	1 Each	Fruit Drink with VIt C	1 Each	Mustard	1 Tbsp	Rice and Beans	1 Cup
Pepper PC	1 Each	Glazed Cake	1/54 Slice	Pepper PC	1 Each	Corn	1/2 Cup
Salt PC	1 Each	Fruit Drink with VIt C	1 Each	Pepper PC	1 Each	Glazed Cake	1/54 Slice
		Pepper PC	1 Each	Pepper PC	1 Each	Fruit Drink with VIt C	1 Each
		Salt PC	1 Each	Salt PC	1 Each	Pepper PC	1 Each
Dinner							
Meat Sauce	3/4 Cup	Pizza (PGK-Real-PC)	1 1/16 Slice	T Ham	3 WZ	Sliced Turkey	3 WZ
Pasta Noodles	1 Cup	Corn	1/2 Cup	Stew	3/4 Cup	Poultry Gravy	1/4 Cup
Green Beans	1/2 Cup	Pasta Salad	1/2 Cup	Red Beans	3/4 Cup	Mashed Potatoes	1 Cup
Roll	1 Each	Pudding	1/2 Cup	Rice	1 Cup	Cornbread	1/54 Slice
Margarine w/Vit A#	1 Tbsp	Fruit Drink with VIt C	1 Each	Wfited Potatoes	1 Cup	Margarine w/Vit A#	1 Tbsp
Glazed Cake	1/54 Slice	Pepper PC	1 Each	Fried Cabbage	1/2 Cup	Glazed Cake	1/54 Cup
Fruit Drink with VIt C	1 Each	Salt PC	1 Each	Biscuit	1 Each 1/54	Fruit Drink with VIt C	1 Each
Pepper PC	1 Each			Cut		Margarine w/Vit A#	1 Tbsp
Salt PC	1 Each					Pepper PC	1 Each
						Turkey Sauce (Pot Pie)	1 1/2
						Biscuit	1 Ea
						Cut	

Exhibit # 9

MTC Mississippi Units revised 2021

Regular

Wednesday

Thursday

Saturday

Sunday

Monday

Tuesday

Week 2

Trinity Services Group		Friday		Saturday		Sunday		Monday		Tuesday		Wednesday	
Breakfast		Thursday		Saturday		Sunday		Monday		Tuesday		Wednesday	
Oatmeal w/ Brown Sugar	1 Cup	Grits w/ Sugar & Margarine	1 Cup	Cold Cereal	1 Cup	Grits w/Sugar & Margarine	1 Cup	Oatmeal w/ Brown Sugar	1 Cup	Grits w/Sugar & Margarine	1 Cup	Oatmeal w/ Brown Sugar	1 Cup
Pancakes 4"	3 Each	Breakfast Meat Gravy	1 Cup	Egg Patty	3 WZ	Margarine 4"	3 Each	Fried T Ham	1 WZ	French Toast Bake	2 Each	Egg Party	3 WZ
Syrup	1/4 Cup	Hash Brown Potatoes	3/4 Cup	Pancakes 4"	3 Each	Hash Brown Potatoes	3/4 Cup	Hash Brown Potatoes	3/4 Cup	French Toast Bake	2 Each	Hash Brown Potatoes	3/4 Cup
Fried T Ham	1 WZ	Biscuit	1 Each 1/54 Cut	Biscuit	1 Each 1/54 Cut	Breakfast Sausage	2 WZ	Coffee Cake	1/4 Cup	French Toast Bake	2 Each	Coffee Cake	1/4 Cup
Margarine w/Vit A#	1 Tbsp	Jelly	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp
Dairy Drink PC	1 Each	Margarine w/Vit A#	1 Each	Dairy Drink PC	1 Each	Dairy Drink PC	1 Each	Margarine w/Vit A#	1 Cup	Dairy Drink PC	1 Each	Dairy Drink PC	1 Each
Pepper PC	1 Each	Milk	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Milk	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
Salt PC	1 Each	Pepper	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each
Lunch		Thursday		Saturday		Sunday		Monday		Tuesday		Wednesday	
Chili	1 Cup	Turkey Ham	3 Ounce	Burrito Filling	3/4 Cup	T Ham	3 WZ	Turkey Ala King	3/4 Cup	T Hot Dog	2 Each	Sloppy Joe	1/2 Cup
Rice	1 Cup	Enriched Bread	2 Slice	Spanish Rice	1 Cup	Red Beans	3/4 Cup	Rice	1 Cup	Roll	1 Each	Hamburger Bun	1 Each
Green Beans	1/2 Cup	Dressing & Salad	1 Tbsp	Corn	1/2 Cup	Green Beans	1/2 Cup	Baked Beans	1 Cup	Baked Beans	1 Cup	Oven Brown Potatoes	1 Cup
Cornbread	1/54 Slice	Peas	1/2 Cup	Shredded Cheese	1 WZ	Fried Cabbage	1/2 Cup	Biscuit	1 Cup	Mixed Vegetables	1/2 Cup	Mixed Vegetables	1/2 Cup
Margarine w/Vit A#	1 Tbsp	Macaroni Salad	1 Cup	Cornbread	1 WZ	Cornbread	1/54 Slice	Cut	1 Tbsp	Ketchup	1 Tbsp	Ketchup	1 Tbsp
Canned Fruit	1/2 Cup	Glazed Cake	1/54 Slice	Oatmeal Cookie	2 Each	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Glazed Cake	1/54 Slice	Glazed Cake	1/54 Slice
Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Cookies	2 Each	Fruit	1 Each	Fruit	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each
Pepper PC	1 Each	Pepper PC	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each
Dinner		Thursday		Saturday		Sunday		Monday		Tuesday		Wednesday	
Burger Party	3 Ounce	Turkey Sausage	3 WZ	Shepherd's Pie	1 1/4 Cup	Ground Meat	3/4 Cup	Baked Chicken	1 Each	Macaroni Goulash	1-1/4	Macaroni Goulash	1-1/4
Patty	1 Tbsp	Sausage	1 Tbsp	Green Beans	1/2 Cup	Meatloaf	3 Ounce	Quarter	1 Each	Corn	1/2 Cup	Corn	1/2 Cup
Ketchup	1 Cup	Mustard	1 Tbsp	Brown Gravy	1/4 Cup	Patty	1 Cup	Rice Pilaf	1 Cup	Biscuit	1 Each	Biscuit	1 Each
Fried Potatoes	1/2 Cup	Baked Beans	1 Cup	Mashed Potatoes	1 Cup	Stroganoff	1 Cup	Fried Cabbage	1/2 Cup	Cut	1 Each	Cut	1 Each
Mixed Vegetable	1 Each	TSG Hoagie Roll 3 WZ	1 Each	Mashed Potatoes	1 Cup	Herbed Pasta	1 Cup	Cornbread	1/2 Cup	Margarine w/Vit A#	1 Tbs	Margarine w/Vit A#	1 Tbs
Hamburger Bun	1/54 Cup	Fruit	1 Each	Blackeyed Peas	1/2 Cup	Mixed Vegetables	1/2 Cup	Mashed Potatoes	1/54 Slice	Margarine w/Vit A#	1 Tbs	Margarine w/Vit A#	1 Tbs
Brownie	1 Each	Pepper PC	1 Each	Pudding	1/2 Cup	Roll	1 Each	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbs	Margarine w/Vit A#	1 Tbs
Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit	1 Each	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Fruit	1 Each	Fruit	1 Each
Pepper PC	1 Each	Pepper PC	1 Each	Salt PC	1 Each	Glazed Cake	1/54 Cup	Pudding	1/2 Cup	Glazed Cake	1/54 Cup	Glazed Cake	1/54 Cup
Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each

MTC Mississippi Units revised 2021

Regular

Trinity Services Group		Friday		Saturday		Sunday		Monday		Tuesday		Wednesday		
Thursday		Breakfast		Lunch		Dinner		Breakfast		Lunch		Dinner		
Grits w/Sugar & Margarine	1 Cup	Oatmeal / Brown Sugar	1 Cup	Grits w/Sugar & Margarine	1 Cup	Grits w/Sugar & Margarine	1 Cup	Oatmeal w/ Brown Sugar	1 Cup	Grits w/Sugar & Margarine	1 Cup	Grits w/Sugar & Margarine	1 Cup	
Pancakes 4"	3 Each	Breakfast Sausage	2 Wz	Breakfast Meat Gravy	1 Cup	French Toast Bake	2 Each	French Toast Bake	1/4 Cup	Egg Patty	2 Each	Hash Brown Potatoes	3/4 Cup	
Syrup	1/4 Cup	Hash Brown Potatoes	3/4 Cup	Hash Brown Potatoes	3/4 Cup	French Toast Bake	1/4 Cup	Hash Brown Potatoes	3 Wz	Breakfast Meat Gravy	1 Cup	Hash Brown Potatoes	3/4 Cup	
Fried T Bologna	1 Wz	Biscuit	1 Each	Biscuit	1 Each	Syrup	2 Each	Biscuit	1/54	Cut	2 Each	Margarine w/Vit A#	1 Tbsp	
Margarine w/Vit A#	1 Tbsp	Jelly	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Cup	Margarine w/Vit A#	1 Cup	
Dairy Drink PC	1 Each	Margarine w/Vit A#	1 Each	Margarine w/Vit A#	1 Each	Dairy Drink PC	1 Each	Margarine w/Vit A#	1 Tbsp	Pepper PC	1 Each	Dairy Drink PC	1 Each	
Pepper PC	1 Each	Pepper PC	1 Cup	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	
Salt PC	1 Each	Milk	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	
Lunch		Turkey & Razzini	3/4 Cup	Stew	1 1/4 Cup	Stroganoff Casserole	1 1/4 Cup	Peanut Butter	2 Wz	Chili Mac Casserole	1 1/4 Cup	Turkey Sauce (pot pie)	1 1/4 Cup	
Burger Patty	3 Ounce	Rice	1 Cup	Mixed Vegetables	1/2 Cup	Green Beans	1/2 Cup	2 FZ	Corn	1/2 Cup	Green Beans	1/2 Cup	Green Beans	1/2 Cup
Patty	1 Slice	Fried Cabbage	1/2 Cup	Roll	1 Each	Enriched Bread	4 Slices	Cornbread	1/54	Margarine w/Vit A#	1/54	Cut	1 Each	
Sliced Cheese	1 Each	Roll	1 Each	Margarine w/Vit A#	1 Tbsp	Macaroni Salad	1 Cup	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	
Hamburger Bun	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Glazed Cake	1/54 Cut	Glazed Cake	1/54 Cut	Canned Fruit	1/2 Cup	Cookies	2 Each	Oatmeal Cookie	2 Each	
Mustard	1 Tbsp	Fruit	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	
Dressing Salad	1 Cup	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	
Ranch Beans	1/2 Cup	Pepper PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	
Pasta Salad	2 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	
Oatmeal Cookie	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	
Ranch Beans	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	
Pasta Salad	1/2 Cup	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	
Fruit Drink with Vit C	1 Cup	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	
Pepper PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	
Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	
Dinner		Pizza (pct Real-CMC)	1/16 Slice	7 Ham	3 Wz	Chicken Teriyaki	3/4 Cup	Meatloaf	3 Ounce	Turkey Stir Fry	3/4 Cup	Jambalaya	1 1/4	
Creole Turkey Mac	1/4 Cup	Pinto Beans	1 Cup	Rice	1 Cup	Mashed Potatoes	1/4 Cup	Patty	Rice	1 Cup	Mixed Vegetables	1/2 C		
Peas & Carrots	1/2 Cup	Fried Cabbage	1/2 Cup	Carrots (Vit A)	1/2 Cup	Brown Gravy	1 Cup	Patty	Patty	1/2 Cup	Red Beans	1/2 C		
Cornbread	1/16 Slice	Cornbread	1/16 Slice	Biscuit	1 Each	Mashed Potatoes	1 Cup	Pasta	Pasta	1/2 Cup	Combread	1/54		
Margarine w/Vit A#	1 Tbsp	Cookies	2 Each	Biscuit	1 Each	Fried Cabbage	1/2 Cup	Biscuit	Biscuit	1 Each	Combread	1 Th		
Glazed Cake	1/54 Slice	Fruit Drink with Vit C	1 Each	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	
Fruit Drink with Vit C	1 Each	Fruit	1 Each	Margarine w/Vit A#	1/54 Slice	Glazed Cake	1 Each	Glazed Cake	1/54 Slice	Glazed Cake	1 Each	Glazed Cake	1 Each	
Fruit Drink with Vit C	1 Each	Fruit	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	
Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	
Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	

MTC Mississippi Units revised 2021

Regular

Trinity Services Group		Thursday		Friday		Saturday		Sunday		Monday		Tuesday		Wednesday	
Breakfast		Oatmeal w/ Brown Sugar Pancakes 4"	1 Cup	Margarine EGG Patty	1 Cup	Oatmeal w/ Brown Sugar	1 Cup	Cold Cereal Breakfast Meat Gravy	1 Cup	Oatmeal w/ Brown Sugar Pancakes 4"	1 Cup	Grits w/Sugar & Margarine	1 Cup	Grits w/Sugar & Margarine	1 Cup
		Oatmeal w/ Brown Sugar Pancakes 4"	1 Cup	Margarine EGG Patty	1 Cup	Cinnamon Roll TSG	4 oz.	Egg Patty	1 Cup	Hash Brown Potatoes	3/4 Cup	Breakfast Sausage	2 Wz	Breakfast Sausage	2 Wz
		Oatmeal w/ Brown Sugar Pancakes 4"	3 Each	Margarine EGG Patty	3 WZ	Hash Brown Potatoes	3 WZ	Hash Brown Potatoes	3/4 Cup	Biscuit	1/4 Cup	Hash Brown Potatoes	3/4 Cup	Hash Brown Potatoes	3/4 Cup
		Oatmeal w/ Brown Sugar Pancakes 4"	1/4 Cup	Margarine EGG Patty	3/4 Cup	Hash Brown Potatoes	1/54 Cut	Coffee Cake	1/54 Cut	Cut	1 WZ	Fried T Bologna	1 Tbsp	Fried T Bologna	1 Tbsp
		Oatmeal w/ Brown Sugar Pancakes 4"	2 Wz	Margarine EGG Patty	1/54 Cut	Hash Brown Potatoes	1 WZ	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 WZ	Margarine w/Vit A#	1 WZ
		Oatmeal w/ Brown Sugar Pancakes 4"	2 Wz	Margarine EGG Patty	1 Tbsp	Hash Brown Potatoes	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Milk	1 Cup	Dairy Drink PC	1 Each	Dairy Drink PC	1 Each
		Oatmeal w/ Brown Sugar Pancakes 4"	1 Tbsp	Margarine EGG Patty	1 Tbsp	Hash Brown Potatoes	1 Each	Margarine w/Vit A#	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
		Oatmeal w/ Brown Sugar Pancakes 4"	1 Cup	Margarine EGG Patty	1 Each	Hash Brown Potatoes	1 Each	Margarine w/Vit A#	1 Each	Milk	1 Cup	Pepper PC	1 Each	Milk	1 Cup
		Oatmeal w/ Brown Sugar Pancakes 4"	1 Each	Margarine EGG Patty	1 Each	Hash Brown Potatoes	1 Each	Margarine w/Vit A#	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each
Lunch		Meat Sauce	3/4 Cup	T Ham	1 1/4 Cup	T Hot Dog	3 WZ	T Hot Dog	2 Each	Cheeseburger	1 1/4 Cup	Sloppy Joe	1/2 Cup	Turkey Tetrazzini	3/4 Cup
		Meat Sauce	1 Cup	T Ham	1 Cup	T Hot Dog	3/4 Cup	T Hot Dog	1 Each	Casserole	1/2 Cup	Hamburger Bun	1 Each	Rice	1 Cup
		Meat Sauce	1 Cup	T Ham	1 Cup	T Hot Dog	3/4 Cup	T Hot Dog	1 Each	Mixed Vegetables	1/2 Cup	Potato Salad	1 Cup	Green Beans	1/2 Cup
		Pasta Noodles	1/2 Cup	Red Beans	1 Cup	T Hot Dog	1 Cup	T Hot Dog	1 Each	Biscuit	1/2 Cup	Potato Salad	1 Cup	Green Beans	1/2 Cup
		Pasta Noodles	1/2 Cup	Red Beans	1 Cup	T Hot Dog	1 Cup	T Hot Dog	1 Each	Red Beans	1/54 Cut	Cornbread	1/54 Cut	Carrots (Vit A)	1/54 Cut
		Corn	1/2 Cup	Seasoned Cabbage	1/2 Cup	T Hot Dog	1/2 Cup	T Hot Dog	1 Each	Ketchup	1/54 Cut	Glazed Cake	1/54 Cut	Margarine w/Vit A#	1/54 Cut
		Corn	1/2 Cup	Seasoned Cabbage	1/2 Cup	T Hot Dog	1/2 Cup	T Hot Dog	1 Each	Baked Beans	1/54 Cut	Fruit	1/54 Cut	Margarine w/Vit A#	1/54 Cut
		Roll	1 Each	Cornbread	1 Each	T Hot Dog	1/54 Slice	T Hot Dog	1 Each	Oatmeal Cookie	1/54 Slice	Fruit Drink with Vit C	1 Each	Fruit	1/54 Cut
		Roll	1 Each	Cornbread	1 Each	T Hot Dog	1/54 Slice	T Hot Dog	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
		Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	T Hot Dog	1 Tbsp	T Hot Dog	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Fruit Drink with Vit C	1 Each
		Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	T Hot Dog	1 Tbsp	T Hot Dog	1 Each	Fruit Drink with Vit C	1 Each	Salt PC	1 Each	Fruit Drink with Vit C	1 Each
		Glazed Cake	1 Each	Glazed Cake	1 Each	T Hot Dog	1/2 Cup	T Hot Dog	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Fruit Drink with Vit C	1 Each
		Fruit	1 Each	Fruit Drink with Vit C	1 Each	T Hot Dog	1/2 Cup	T Hot Dog	1 Each	Fruit Drink with Vit C	1 Each	Salt PC	1 Each	Fruit Drink with Vit C	1 Each
		Fruit	1 Each	Fruit Drink with Vit C	1 Each	T Hot Dog	1/2 Cup	T Hot Dog	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Fruit Drink with Vit C	1 Each
		Pepper PC	1 Each	Pepper PC	1 Each	T Hot Dog	1/2 Cup	T Hot Dog	1 Each	Fruit Drink with Vit C	1 Each	Salt PC	1 Each	Fruit Drink with Vit C	1 Each
		Pepper PC	1 Each	Pepper PC	1 Each	T Hot Dog	1/2 Cup	T Hot Dog	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Fruit Drink with Vit C	1 Each
		Salt PC	1 Each	Salt PC	1 Each	T Hot Dog	1/2 Cup	T Hot Dog	1 Each	Fruit Drink with Vit C	1 Each	Salt PC	1 Each	Fruit Drink with Vit C	1 Each
Dinner		Turkey Smoked Sausage	3 WZ	Sliced Turkey	3 WZ	Meatloaf	3 WZ	Chili	3/4 Cup	Jambalaya	1 1/4 Cup	Macaroni Goulash	1-1/2 Cup	Macaroni Goulash	1-1/2 Cup
		Turkey Smoked Sausage	3 WZ	Sausage	1 Cup	Poultry Gravy	1/4 Cup	Rice	1 Cup	Green Beans	1/2 Cup	Carrots (Vit A)	1/2 Cup	Carrots (Vit A)	1/2 Cup
		Turkey Smoked Sausage	3 WZ	Au Gratin Potatoes	1 Cup	Brown Gravy	1/4 Cup	Corn	1/2 Cup	Cornbread	1/54 Slice	Cornbread	1/54 Slice	Carrots (Vit A)	1/54 Slice
		Au Gratin Potatoes	1 Cup	Fried Cabbage	1/2 Cup	Mashed Potatoes	1 Cup	Corn	1/2 Cup	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp
		Fried Cabbage	1/2 Cup	Mustard	1 Tbsp	Carrots (Vit A)	1/2 Cup	Corn	1/2 Cup	Peas & Carrots	1/54 Slice	Cookies	2 Each	Glazed Cake	1/54 Slice
		Mustard	1 Tbsp	Mustard	1 Tbsp	Biscuit	1 Each	Corn	1/2 Cup	Glazed Cake	1/54 Slice	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each
		Hoagie Roll	1 Each	Hoagie Roll	1 Each	Biscuit	1 Each	Corn	1/2 Cup	Margarine w/Vit A#	1 Tbsp	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each
		Hoagie Roll	1 Tbsp	Canned Fruit	1/2 Cup	Biscuit	1 Each	Corn	1/2 Cup	Glazed Cake	1/54 Slice	Pepper PC	1 Each	Pepper PC	1 Each
		Ketchup	1/54 Cut	Fruit Drink with Vit C	1 Each	Biscuit	1 Each	Corn	1/2 Cup	Margarine w/Vit A#	1 Tbsp	Canned Fruit	1 Each	Canned Fruit	1 Each
		Brownie	1 Each	Pepper PC	1 Each	Biscuit	1 Each	Corn	1/2 Cup	Glazed Cake	1/54 Slice	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each
		Fruit Drink with Vit C	1 Each	Salt PC	1 Each	Biscuit	1 Each	Corn	1/2 Cup	Margarine w/Vit A#	1 Tbsp	Pepper PC	1 Each	Pepper PC	1 Each
		Pepper PC	1 Each	Salt PC	1 Each	Biscuit	1 Each	Corn	1/2 Cup	Glazed Cake	1/54 Slice	Salt PC	1 Each	Salt PC	1 Each
		Salt PC	1 Each	Salt PC	1 Each	Biscuit	1 Each	Corn	1/2 Cup	Margarine w/Vit A#	1 Tbsp	Pepper PC	1 Each	Pepper PC	1 Each

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Exhibit # 10

CYCLE #4 <-- CURRENT CYCLE		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
MONDAY <-- DAY OF THE WEEK		Dietitian/Reg-License #: D2185 Date: 12/1/21	
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			
Oatmeal	8 oz	Oatmeal LFNS	8 oz
Sausage (Non-Pork)	2 oz	Sausage (Non-Pork)	2 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Wheat Toast	2 ea
Cinnamon Roll	1 ea	Coffee	8 oz
Coffee	8 oz	Milk (1%)	8 oz
Milk (1%)	2 ea	Sugar Substitute	2 ea
Sugar Substitute	1 pat	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Margarine			
LUNCH:			
Salsbury Steak w/Sauteed Onions	3 oz / 1 oz	Lean Hamburger Pattie w/Sauteed Onions LFNS	3 oz / 1 oz
Brown Gravy	2 oz	Green Beans LFNS	4 oz
Green Beans	4 oz	Potatoes LFNS	4 oz
Potatoes	4 oz	Beans LFNS	4 oz
Beans	4 oz	Wheat Bread	1 ea
Buttered Cornbread	1 ea	Tea/Water	8 oz
Tea/Water	8 oz		
DINNER:			
Turkey Hot Dogs w/chili	2 ea / 2 oz	Lean Chicken Pattie LFNS	3 oz
Mac 'n Cheese	4 oz	Mac 'n Cheese LFNS	4 oz
Broccoli	4 oz	Broccoli LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Bread	2 ea	Wheat Bread	2 ea
Mustard/Relish/Onions	2 oz	Punch	8 oz
Dessert	4 oz	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Punch	8 oz		
Total Meals:			
Date	HS Snack List	Milk	
Subs Y-N		Protein	
Mgr Initials		Bread	
CYCLE #4 <-- CURRENT CYCLE	Menus Approved By: Ellen Ossorio, MS, RD, LDN		
TUESDAY <-- DAY OF THE WEEK	Dietitian/Reg-License #: D2185 Date: 12/1/21		
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			
Dry Cereal	1.5 oz	Dry Cereal	1.5 oz
Sausage (Non-Pork)	2 ea	Eggs (Scrambled or each)	4 oz / 2 ea

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Buttered Biscuits	2 ea	Wheat Toast	2 ea
Sugar Substitute	2 ea	Sugar Substitute	2 ea
Milk (1%)	8 oz	Milk (1%)	8 oz
Coffee	8 oz	Coffee	8 oz
Jelly	2 oz	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea		
LUNCH:		Taco Salad	
Taco Salad	4 oz / 4 oz	Chili/Tortilla Chips	4 oz / 4 oz
Chili/Tortilla Chips	2 oz / 2 oz	Shredded Cheese/Salsa	2 oz / 2 oz
Shredded Cheese/Salsa	8 oz	Shred Lettuce	8 oz
Shred Lettuce	1 oz or 1 pkt	Sour Cream	1 oz or 1 pkt
Sour Cream	4 oz	Yellow Rice	4 oz
Yellow Rice	4 oz	Beans	4 oz
Beans	8 oz	Tea/Water	8 oz
Tea/Water			
DINNER:			
Corn Dogs (2)	6 oz	Lean Beef Pattie LFNS	3 oz
Potatoes	4 oz	Potatoes LFNS	4 oz
Cabbage	4 oz	Cabbage-LFNS	4 oz
Rice	4 oz	Rice	4 oz
Beans	4 oz	Beans	8 oz
Dessert	8 oz	Punch	4 oz / 1 ea
Punch		Fruit (Fresh)	
Total Meals		HS Snack List	Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
CYCLE #4 <-- CURRENT CYCLE			
WEDNESDAY <-- DAY OF THE WEEK		DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
REGULAR DIET	PORTION		
BREAKFAST:			
Grits	4 oz	Grits LFNS	4 oz
Sausage (Non-Pork)	2 ea	Eggs(Scrambled or each)	4 oz / 2 ea
Pancakes	2 ea	Pancakes	2 ea
Syrup	3 oz	Lite Syrup	3 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Coffee	8 oz
Coffee	8 oz	Milk (1%)	8 oz
Milk (1%)	8 oz	Sugar Substitute	2 ea
Sugar Substitute	2 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
LUNCH:			
Roasted Chicken	3 oz	Baked Chicken LFNS	3 oz

MTC Standard Menu Cycle - Mississippi Correctional Facilities
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Bread	2 ea	Wheat Bread	2 ea
Cabbage	4 oz	Cabbage LFNS	4 oz
Mix Vegetables	4 oz	Mixed Vegetables LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Tea/Water	8 oz	Tea/Water	8 oz
Margarine	1 pat		
DINNER:			
Philly Cheese Steak Sandwich with Cheese	3 oz/2 oz	Philly Cheese Steak Sandwich with Cheese	3 oz/2 oz
Bread w/ entrée		Bread w/ entrée	
Sauteed Onions & Peppers	2 oz	Sauteed Onions & Peppers	2 oz
Squash	4 oz	Squash LFNS	4 oz
Peas	4 oz	Peas LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Dessert	8 oz	Punch	8 oz
Punch		Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Total Meals		HS Snack List	Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
CYCLE #4 <-- CURRENT CYCLE		Dietitian/Reg-License #: D2185 Date: 12/1/21	
THURSDAY <-- DAY OF THE WEEK		DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	
REGULAR DIET	PORTION		PORTION
BREAKFAST:			
Breakfast Tacos (flour tortillas) (scrambled eggs, meat, cheese)	2 ea / 2 ea	Breakfast Tacos (flour tortillas) (scrambled eggs, meat, cheese)	2 ea / 2 ea
Refried Beans	4 oz	Refried Beans	4 oz
Potatoes	4 oz	Potatoes LFNS	2 oz
Fresh Salsa	2 oz	Fresh Salsa	8 oz
Milk (1%).	8 oz	Milk (1%)	8 oz
Coffee	8 oz	Coffee	2 ea
Sugar Substitute	2 ea	Sugar Substitute	4 oz / 1 ea
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Fruit (Can, Frozen, Fresh)	
LUNCH:			
Beef Tacos (Soft or Hard)	2 oz. ea/2 ea	Beef Tacos (Soft or Hard)	2 oz. ea/2 ea
Bread w/ entrée		Bread w/ entrée	
Lettuce/Tomato/Onion/Cheese	2 oz.	Lettuce/Tomato/Onion/Cheese	2 oz.
Spanish Rice	4 oz	Spanish Rice LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Hominy	4 oz	Hominy LFNS	4 oz
Dessert	8 oz	Tea/Water	8 oz
Tea/Water			

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Spaghetti w/meat sauce	8 oz	Spaghetti w/meat sauce LFNS	3 oz
Beans	4 oz	Beans LFNS	4 oz
Broccoli	4 oz	Broccoli LFNS	4 oz
Carrots	4 oz	Carrots LFNS	4 oz
Garlic Toast	2 ea	Wheat Bread	2 ea
Punch	8 oz	Punch	8 oz
Fruit (Fresh)	4 oz / 1 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Total Meals			
Date		HS Snack List	Milk
Subs Y-N			Protein
Mgr Initials			Bread
CYCLE #4 <-- CURRENT CYCLE		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
FRIDAY <-- DAY OF THE WEEK		Dietitian/Reg-License #: D2185 Date: 12/1/21	
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	
BREAKFAST:			PORTION
Oatmeal	4 oz	Oatmeal LFNS	4 oz
Sausage (Non-Pork)	2 ea	Eggs (Scrambled or each)	4 oz / 2 ea
French Toast	2 ea	French Toast	2 ea
Milk (1%)	8 oz	Milk (1%)	8 oz
Coffee	8 oz	Coffee	8 oz
Sugar Substitute	2 ea	Sugar Substitute	2 ea
Syrup	2 oz	Sugar Free Syrup	2 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
LUNCH:			
Pizza	1 ea	Lean Chicken Pattie LFNS	3 oz
Fresh Salad	4 oz	Fresh Salad	4 oz
Potatoes	4 oz	Potatoes LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Dessert	1 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Tea/Water	8 oz	Wheat Bread	2 ea
		Tea/Water	8 oz
DINNER:			
Chicken Stir Fry w/rice	8 oz	Chicken Stir Fry w/rice LFNS	8 oz
Cabbage	4 oz	Cabbage LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Cornbread	1 ea	Cornbread	1 ea
Dessert	4 oz	Punch	8 oz
Punch	8 oz	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Total Meals			

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Date	HS Snack List		Milk
Subs Y-N			Protein
Mgr Initials			Bread
CYCLE #4 <--CURRENT CYCLE			Menus Approved By: Ellen Ossorio, MS, RD, LDN
SATURDAY <--DAY OF THE WEEK			Dietitian/Reg-License #: D2185 Date: 12/1/21
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			
Dry Cereal	1.5 oz	Dry Cereal	1.5 oz
Meat Gravy	4 oz	Eggs (Scrambled or each)	4 oz / 2 ea
Buttered Biscuits	2 ea	Wheat Toast	2 ea
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Milk (1%)	8 oz
Milk (1%)	8 oz	Coffee	8 oz
Coffee	8 oz	Sugar Substitute	2 ea
Sugar Substitute	2 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Jelly	2 oz		
LUNCH:			
Beef Enchiladas (Casserole or Rolled)	8 oz / 2 ea	Lean Beef-Patty NS.	3 oz
Bread w/ entrée	4 oz	Dinner Salad	4 oz
Dinner Salad	4 oz	Beans LFNS	4 oz
Beans	4 oz	Corn LFNS	4 oz
Corn	2 oz	Salad Dressing	2 oz
Salad Dressing	4 oz	Wheat Bread	2 ea
Dessert	8 oz	Tea/Water	8 oz
Tea/Water			
DINNER:			
(2) Cold Cut Sandwiches (2 oz. meat ea.)	2 oz. ea/2 ea	(2) Turkey Sandwiches (2 oz. meat ea.)	2 oz. ea/2 ea
Bread w/ entrée	2 oz	Bread w/ entrée	2 oz
(2) Cheese	4 oz	(2) Cheese	4 oz
Lettuce/Tomato/Onion/Pickle	4 oz	Lettuce/Tomato/Onion/Pickle	4 oz
Coleslaw	4 oz	Coleslaw LFNS	4 oz
Ranch Style Pinto Beans	8 oz	Ranch Style Pinto Beans LFNS	4 oz
Punch	1 ea	Punch	8 oz
Mayo/Must. Pack		Mayo/Must. Pack	1 ea
		Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Total Meals	HS Snack List		Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials			Menus Approved By: Ellen Ossorio, MS, RD, LDN
CYCLE #4 <--CURRENT CYCLE			Dietitian/Reg-License #: D2185 Date: 12/1/21
SUNDAY <--DAY OF THE WEEK			DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free
REGULAR DIET	PORTION		PORTION

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

BREAKFAST:			
Grits	4 oz	Grits LFNS	4 oz
Sausage (Non-Pork)	2 ea	Eggs(Scrambled or each)	4 oz / 2 ea
Pancakes	2 ea	Pancakes	2 ea
Margarine/Syrup	2 pat/3 oz	Lite Syrup	3 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Milk (1%)	8 oz
Milk (1%)	8 oz	Coffee	8 oz
Coffee	8 oz	Sugar Substitute	2 ea
Sugar Substitute	2 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
LUNCH:			
Chicken Pattie	3 oz	Lean Chicken Pattie LFNS	3 oz
Bread	2 ea	Wheat Bread	2 ea
Potato Salad	4 oz	Potato Salad LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Green Beans	4 oz	Green Beans LFNS	4 oz
Dessert	4 oz	Tea/water	8 oz
Tea/water	8 oz		
DINNER:			
Chirozo w/Eggs	2 oz / 4 oz	Eggs (Scrambled or each)	4 oz / 2 ea
Potatoes	4 oz	Potatoes LFNS	4 oz
Mexican Corn	4 oz	Mexican Corn LFNS	4 oz
Refried Beans	4 oz	Refried Beans LFNS	4 oz
Tortillas	2 ea	Wheat Bread	2 ea
Salsa	2 oz	Salsa	2 oz
Punch	8 oz	Punch	8 oz
Margarine	2 pat	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Total Meals		HS Snack List	Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials			

MSA
GMCA
05-108
GWS
SVO
12

WILKINSON COUNTY CORRECTIONAL FACILITY
RULE VIOLATION REPORT

Unit Admin. Unit: Zone / HQ: Cell / Bed: Date: Related Rule #: Page:

Officer: Date: Related Rule #: Page:

By the authority of:

Warden: Warden's Signature: Warden's Title: WACAC: Location of incident:

GRATUITANCE AND DICTA

Reported on behalf of: Signature: Date: Related Rule #: Page:

Incident: Date: Related Rule #: Page:

Officer: Date: Related Rule #: Page:

Exhibit #73

WILKINSON COUNTY CORRECTIONAL FACILITY

N° 2011878

(MSP) _____ (CWC) _____
(CMCF) _____ (SMCI) _____
(OTHER) _____ WCCF _____

RULE VIOLATION REPORT

(Unit Admin. Initial) *MR*

CDF

Zone / Tier

Block D

Unit

E 206

Cell / Bed #

Offender Jason Holloway MDOC# MD998 Violated Rule # B18 Entitled

Request To Submit To A Drug Test

Date 1-26-22 Approx. Time 1021 Hrs.By the specific act of Refusing a Drug Test EXACT location of incident F 206Weapon involved Yes NoCIRCUMSTANCES AND DETAILS ON 1/26/2022 @ 1021 hrs JasonHolloway # MD998 Refuse a Reasonable Suspicion
Drug Test. End of StatementReporting Employee's Signature Joseph Hall Title Sergeant PIN# 9996 Date 1-27-22 Time 0913Evidence Yes No Located Placed in Segregation - PDA Yes No Yes- LocationI request witness(es) ✓ Yes No Witness(es) ✓ 1 Kenzie H. Bell (2) officer Boyd

Unless waived, you are hereby notified that a hearing will be held within, no less than, twenty-four (24) hours and no more than (7) working days

I waive the right to a Hearing Yes NoACCUSED Jason Holloway DELIVERING EMPLOYEE M. Amos DATE 1-27-22 TIME 1312 AM PM1. Investigation began within 24 hrs of violation? Yes No 2. Date/Time investigation completed 1-27-22 13:18 AM PM

3. If not completed without reasonable delay, explain:

4. Name of Investigator M. Amos

5. Working days between date of violation and hearing

6. If more than seven (7) working days, explain:

Is accused offender in Trusty Status Yes No Does accused offender receive Earned Time Yes No

Name of Persons at Hearing - Accused

Other

Accused's response Admit Deny Accused's StatementDocuments read and discussed RVR Investigation Witness Statements OtherFINDINGS: Guilty Not Guilty Reason for Findings:

PUNISHMENT: Poor conduct record

Reason (s) Seriousness of offense The need to protect the institution, employees or others

Other

A total of Rule Violations in A total of Rule Violations for Rule #Signature: Hearing Officer Date:

Appeal may be filed within 15 days with Legal Claims Adjudicator, c/o ARP, P.O. Box 609, Parchman, MS. 38738, after receipt of the Disciplinary decision.

Offender Signature: Date:

Signature of Reviewing Superintendent/Warden/CSD/Designee: Date:

Custody Reduction to Date Signature

Due to guilty finding on the RVR, offender is ineligible to continue to receive Trusty Earned Time/ Remove from Trusty Status/ Trusty Earned

Time effective SignatureApproved Disapproved Signature of Corrections or Designee

Exhibit #14

 <p>MISSISSIPPI DEPARTMENT OF CORRECTIONS</p>	SOP NUMBER 18-02-01
	INSTITUTIONS
OFFENDER DRUG TESTING	INITIAL DATE 09-01-2008
ACA STANDARDS:	EFFECTIVE DATE 10-01-2013
STATUTES:	NON-RESTRICTED
	PAGE 1 of 8

1 **APPLICABILITY:**

2 This procedure applies to all offenders incarcerated by the Mississippi Department of
 3 Corrections (MDOC) and employees responsible for the offender drug testing process.

6 **POLICY:**

7 It is the policy of the Mississippi Department of Corrections to control unauthorized use and
 8 abuse of illegal substances and drugs by conducting offender drug tests.

10 **DEFINITIONS:**

11 **Indelible Ink** – ink that is impossible to remove, rub out, wash out, or alter.

12 **Chain of Custody** – A legal term that refers to the ability to trace and safeguard the specimen
 13 from the time it is donated through all the steps in the process from collection to reporting the
 14 results.

15 **Illicit Drug** – Any controlled substance or prescription medication used unlawfully.

16 **Sensitive Placement** – An offender's job assignment or workplace that requires the offender to
 17 have integrity and exhibit responsibility. Offenders may be housed outside the institution and
 18 work on outside details with minimum supervision while living in a community setting. Offenders
 19 housed within the institution may have contact with the general public and require minimum
 20 supervision.

21 **Specimen** – Sample of urine taken from an offender sufficient to conduct a urinalysis.

22 **Urinalysis** – The testing of a urine specimen.

23 **Fluid Drug Screen** – The testing of oral fluid.

24 **Reasonable Belief** – Judgment based on specific objective facts and reasonable conclusions
 25 drawn in light of experience, training, and education.

36 **PRECEPTS:**37 **Targeted Testing**

38 The Commissioner or Deputy Commissioner of Institutions or designee(s) may authorize
 39 Targeted Testing. Such testing will normally be performed under the following circumstances:

40 • An offender is being considered for placement in a community facility based program
 41 • Required by Court Order

TITLE: OFFENDER DRUG TESTING		SOP NUMBER 18-02-01
EFFECTIVE DATE: 10-01-2013	NON-RESTRICTED	PAGE 3 of 8

94 Notification of Positive Drug Test for RID Offenders

95 The staff member conducting the urinalysis is responsible for notifying the Central Mississippi
 96 Correctional Facility (CMCF) Warden and the Assistant Director of Offender Services (ADOS) in
 97 charge of admission of any positive test for RID offenders.

98
 99 If the offender tests positive on his initial arrival, the Assistant Director of Offender Services in
 100 charge of admission will immediately notify the sentencing judge and the designated family
 101 contact in writing of the delay in the offender entering the RID program.

102
 103 If the offender tests positive on a random drug test, the staff member conducting the urinalysis
 104 will issue him/her a RVR.

105
 106 The Disciplinary Hearing Officer will hear the RVR and impose the appropriate disciplinary
 107 sanctions for offenders testing positive for alcohol/drugs.

108
 109 If the offender is reclassified to the general population, the Assistant Director of Offender
 110 Services in charge of admissions will be notified.

111
 112 The ADOS will contact the Judge with the disposition of the Disciplinary Hearing Officer and if
 113 necessary, the State Classification Hearing Officer. It will be noted in the letter to the Judge that
 114 the offender tested positive after testing negative upon arrival at the MDOC R&C Center.

115
 116 The sentencing judge will make the final disposition of the RID offender's status.

117
 118 Reasonable Suspicion Test

119 This test is conducted if there is reasonable suspicion that an offender is using alcohol or drugs.
 120 Offenders may be tested at any time for reasonable suspicion.

121
 122 Reasonable suspicion will be noted on the Urinalysis Chain of Custody form and signed by the
 123 suspecting officer and the officer's supervisor.

124
 125 Random Testing

126 An offender may be ordered to submit a urine specimen as part of the random drug testing
 127 program. Each Facility's Controlling Authority will ensure that, at a minimum, 15% of all
 128 offenders assigned to the facility are tested on a random basis each month.

129
 130 An offender on dialysis may be ordered to submit oral fluid as part of the random drug testing
 131 program.

132
 133 The MDOC Management Information Systems staff will generate this list within Offendertrak
 134 and ensure that the random list constitutes 15% of the facility's population.

135
 136 Consecutive tests of the same offender may be conducted if his/her name appears on the
 137 appropriate computer-generated random list.

TITLE: OFFENDER DRUG TESTING		SOP NUMBER 18-02-01
EFFECTIVE DATE: 10-01-2013	NON-RESTRICTED	PAGE 5 of 8

188 This information will be typed or legibly written in indelible ink and match the information on the
 189 Urinalysis Chain of Custody Form. The offender will be asked to acknowledge that the
 190 information on the container/lid is correct.

191
 192 The offender will also be asked if he/she has been taking any medication in the past three weeks, and the response will be noted on the Urinalysis Chain of Custody form. If the
 193 offender's response is "yes" and the subsequent test results are positive, an inquiry will be
 194 made to Medical Personnel for prescription verification as to what medications the offender has
 195 received in the past three weeks.

196
 197 The collection and testing of a urine specimen will be conducted by two (2) staff members of the
 198 same gender as the offender being tested. One staff member will be the witness and the other
 199 will be the tester. The staff member witnessing the collection will:

200
 201

- 202 • Supervise one offender at a time
- 203 • Continuously observe (witness) the production of the urine specimen into the container
- 204 • Keep the specimen in full view of the offender at all times prior to placing the lid on it and
 205 labeling it
- 206 • Close up the bottle containing the specimen

207
 208 The staff member performing the test will test the sample according to the vendor specifications.

209
 210 If the test is negative, the staff member performing the test will dispose of the urine in a toilet
 211 and the container in a waste receptacle for biohazardous material.

212
 213 If the test is positive, the staff member will take a photograph of the lid showing the offender's
 214 name and number and the positive results.

215
 216 The staff member will record the personal observation of the specimen collection and
 217 subsequent test results on the Urinalysis Chain of Custody Form.

218
 219 If an offender refuses to sign the Urinalysis Chain of Custody Form, two (2) staff members will
 220 sign as witnesses.

221
 222 The staff member performing the test will dispose of the urine in a toilet and the container in a
 223 waste receptacle for biohazardous material.

224
 225 The offender will be issued a RVR in accordance with MDOC procedure 18-01-01, Disciplinary
 226 Procedures. A copy of the chain of custody form and the photo of the lid's test results will be
 227 attached to the RVR for the Disciplinary Hearing Officer.

Collecting the Oral Fluid Specimen

228
 229 The staff member responsible for collecting the oral specimen will:

- 230 • Instruct the donor not to eat, drink, smoke or chew tobacco products at least 10 minutes
 231 prior to the administration of the test.
- 232 • Confirm the offender's identity by inspecting the offender's photo identification card.

TITLE: OFFENDER DRUG TESTING		SOP NUMBER
EFFECTIVE DATE: 10-01-2013		18-02-01
	NON-RESTRICTED	PAGE 7 of 8

285 If the test is positive, the staff member will take a photograph of the device showing the
 286 offender's name and number and the positive results.

287 The staff member will record the personal observation of the specimen collection and
 288 subsequent test results on the Chain of Custody Form.

289
 290 If an offender refuses to sign the Chain of Custody Form, two (2) staff members will sign as
 291 witnesses.

292
 293 The offender will be issued a RVR in accordance with MDOC procedure 18-01-01, Disciplinary
 294 Procedures. A copy of the Chain of Custody form and the photo of the device's test results will
 295 be attached to the RVR for the Disciplinary Hearing Officer.

296
 297 **Refusal to Provide Sample**

298
 299 An offender who refuses to submit a urine specimen/oral fluid as ordered will be written a RVR
 300 for refusing or failing to submit to a urinalysis test in accordance with MDOC procedure 18-01-
 301 01, Disciplinary Procedures.

302
 303 If the offender claims he/she is unable to provide a urine specimen immediately, he/she will be
 304 detained for observation. An offender who is unable to provide a urine specimen after four (4)
 305 hours will be considered to have refused or failed to submit to a urinalysis test. If the offender
 306 refuses or is unable to submit a urine specimen within four (4) hours, this fact will be noted on
 307 the Urinalysis Chain-of-Custody form.

308
 309 **Training**

310 All staff members involved in the taking of urine or fluid samples will be trained in these
 311 procedures before any drug testing of an offender is conducted. The vendor supplying the
 312 testing material or a certified staff member will conduct training.

313
 314 **Sanctions for Positive Drug Tests**

315
 316 MDOC applies serious responses to positive drug tests. Offenders who test positive, whether in
 317 a drug program or not, meet with sanctions by the appropriate authorities.

318
 319 The Disciplinary Hearing Officer may impose sanctions based on the severity and repetition of
 320 the offense. Such sanctions will include those identified in MDOC procedure 18-01-01,
 321 Disciplinary Procedures.

322
 323 **Sanctions for Offenders in the RID Program**

324
 325 If an active RID participant tests positive, a Rule Violation Report will be issued. He may be
 326 referred to a Termination Hearing Committee that consists of a Case Manager, a treatment
 327 person, and a security person. They will make a recommendation to the RID Director regarding
 328 whether the offender should stay in the program.

329
 330 If the Termination Hearing Committee recommends terminating the offender from the program,
 331 a Classification Hearing Officer will meet and reclassify the offender. See MDOC procedure on
 332 Disciplinary Procedures.

Exhibit #15

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-22-126

SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Jason Holloway #M0998
Location: Wilkinson County Correctional Facility

From: D. Vannoy
Title: Warden

In response to your ARP claim. In reference to you requesting the drug testing policy S.O.P. #18-02-01 (MDOC Policy) be followed at all times when doing drug testing. The information gathered reveals according to Sgt. Hall he is following guidelines and procedure of policy 18-02-01. You have not provided any evidence to show where policy is not being followed. I consider this matter resolved at this level.

Frank Vannoy
Signature

4/18/22
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.

Frank Vannoy
Inmate's Signature

M0998
DOC #

4-20-22
Date

Exhibit # 16

 <p>MISSISSIPPI DEPARTMENT OF CORRECTIONS</p>	SOP NUMBER 18-01-01
	AGENCY WIDE
DISCIPLINARY PROCEDURES	INITIAL DATE 10-01-1997
ACA STANDARDS: 5-ACI-3C-01 thru 5-ACI-3C-23, 4-ACRS-3A-01 thru 4-ACRS-3A-03, 4-ACRS-6C-01 thru 4-ACRS-6C-04	EFFECTIVE DATE 12-01-2021
STATUTES: 47-5-99, 47-5-104, 47-5-801	NON-RESTRICTED
	PAGE 1 of 20

1 **APPLICABILITY:**

2 This procedure applies to all offenders incarcerated by the Mississippi Department of
 3 Corrections (MDOC) and employees participating in the disciplinary process.

4
 5 The provisions of this standard operating procedure will apply retroactively.

6
 7 **POLICY STATEMENT:**

8 It is the policy of the Mississippi Department of Corrections (MDOC) to discipline all offenders
 9 who commit and/or participate in prohibited activities.

10
 11 **DEFINITIONS:**

12
 13 **Administrative Remedy Program** – A program by which an offender may request administrative
 14 remedy for situations arising from policies, conditions or events within MDOC that affect them
 15 personally.

16
 17 **Criminal Violations** – Any incident in which an offender allegedly commits an act covered by
 18 criminal law.

19
 20 **Disciplinary Hearing** – An impartial classification hearing composed of a Disciplinary Hearing
 21 Officer or staff member whose name appears on the Executive Order approved by the
 22 Commissioner.

23
 24 **Disciplinary Hearing Officer** – Staff member whose name appears on the Executive Order
 25 approved by the Commissioner who will hear all pertinent information surrounding an alleged
 26 rule violation and base their final decision if some evidence presented at the hearing indicates
 27 the underlying action(s) occurred.

28
 29 **Informal Resolution** – Resolution of a minor rule infraction at the unit level.

30
 31 **Rule Violation** – An act or omission of an act contrary to the rules and regulations of MDOC,
 32 laws of the State of Mississippi, or the United States.

33
 34 **Rule Violation Report (RVR)** – A report that will include the violation charge, essential facts
 35 supporting the alleged violation, processing action taken (including requests for investigation
 36 and lists of requested witnesses), findings and disciplinary action taken (if any). The reporting
 37 form will be configured so that proper distribution can be made with the original becoming part
 38 of the offender's permanent MDOC record.

39
 40 **Inappropriate Sexual Behavior** – Seductive or obscene acts that include unwelcome touching, or
 41 masturbation.

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44 Inappropriate Sexual Behavior with Another Person – Seductive or obscene acts that include
 45 intimate touching, penetration of another's body cavity, and include homosexual and
 46 heterosexual activity.

47 Physical Action – Any use of force; act of fighting, hitting, kicking, shoving, pushing, biting, or
 48 other similar type of physical contact; or throwing, squirting or spitting any item, substance or
 49 fluid.

50 Riot – To incite, instigate, organize, plan, cause, aid, abet, assist or take part in any disorder,
 51 disturbance, strike, or other organized disobedience to the rules of the facility.

52 Serious Physical Injury – Means an injury requiring more than basic first aid.

53 Sexual Assault – Non-consensual intimate physical contact with another person that may
 54 include an attempt or threat of physical violence.

55 Unauthorized Communication – Any form of communication not allowed by any posted or
 56 published rule, including inducing personnel to carry items into or out of the institution, using a
 57 staff telephone or communicating with another inmate in a different housing status.

58 Dangerous Contraband – A firearm, knife, other weapon, device or instrument, material or
 59 substance that is readily capable of causing or inducing fear of death or serious physical injury.

60 Some Evidence – Whether any evidence at all supports the action taken by prison officials.

61 Tobacco Product – Any product that contains tobacco, the prepared leaves of any plant
 62 belonging to the nicotine family, which will include, but not limited to cigarettes, loose tobacco,
 63 cigar, snuff, chewing tobacco, or any other preparation of tobacco, tobacco substitutes, smoking
 64 paraphernalia (i.e., matches, lighter, cigarette papers) and all other items developed and
 65 processed for the primary purpose of facilitating the use or possession of tobacco or tobacco-
 66 related products as well as packaging material. Packaging material includes, but not limited to
 67 snuff or cigarette containers. tobacco product does not include pharmacological aids (i.e., patch,
 68 inhaler, or lozenges) for smoking cessation.

69 Electronic Cigarette/Vaporizers – An electrical device(s) that simulates the act of tobacco
 70 smoking by producing an inhaled vapor bearing the physical sensation, appearance, and may
 71 contain nicotine. The liquid is heated to create an aerosol that the user inhales.

72 **PROCEDURES:**

73 Adult Community Residential Services: Facility rules and regulations are reviewed at least
 74 annually and updated, if necessary [4-ACRS-3A-02].

75 Adult Correctional Institutions: There is a written set of disciplinary procedures governing
 76 inmate rule violations [5-ACI-3C-02].

77 Adult Community Residential Services: All program rules and regulations pertaining to
 78 offenders are conspicuously posted in the facility or included in a handbook that is
 79 accessible to all offenders and staff [4-ACRS-3A-03].

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94 *Adult Correctional Institutions:* A rulebook that contains all chargeable offenses, ranges of
 95 penalties, and disciplinary procedures is given to each inmate and staff member and is
 96 translated into those languages spoken by significant numbers of inmates. Signed
 97 acknowledgement of receipt of the rulebook is maintained in the inmate's file. When a
 98 literacy or language problem prevents an inmate from understanding the rulebook, a
 99 staff member or translator assists the inmate in understanding the rules [5-ACI-3C-03].

100 *Adult Community Residential Services:* There is a process for informal resolution of minor
 101 infractions of facility rules [4-ACRS-6C-01].

103 *Adult Correctional Institutions:* There are written guidelines for resolving minor inmate
 104 infractions, which include a written statement of the rule violated and a hearing and
 105 decision within seven days, excluding weekends and holidays, by a person not involved
 106 in the rule violation; inmates may waive their appearance at the hearing [5-ACI-3C-05].

108 Informal Resolution Process

110 An Informal Resolution of a minor violation requires prompt yet fair disposition and agreement
 111 between the accused offender and a staff member (Correctional Supervisor or above).

113 The Informal Resolution is designed to reduce paperwork and to enable the offender to avoid a
 114 recorded entry of disciplinary action.

116 Informal Resolutions will not be used in cases involving violence or physical aggression.

119 To accomplish the Informal Resolution action the accused offender will be escorted to the
 120 appropriate authority, the charges will be verbally related, and a decision will be made by the
 121 appropriate authority as to whether the violation merits action.

122 Upon agreement, an Informal Resolution form will be completed. The Informal Resolution form
 123 will include, but not be limited to the following information, as applicable:

- 126 • Offender's name, number, housing unit, zone/tier, cell/bed
- 127 • Date and time
- 128 • Location of incident
- 129 • Specific rule violated
- 130 • A formal statement of the charge
- 131 • Any unusual offender behavior
- 132 • Any staff witnesses
- 133 • Any physical evidence and its disposition
- 134 • Reporting staff member's name
- 135 • Hearing Officer's signature and date
- 136 • Accused offender's signature, unless refused
- 137 • Punishment

138 An informal meeting will be held with the accused offender and a decision made within seven
 139 (7) days, excluding weekends and holidays.

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142 The accused offender may waive the meeting by notifying the appropriate authority and
 143 completing a waiver form. The accused offender must sign and agree to the imposed penalty.

144
 145 The following penalties may be imposed:

146

- 147 • Counseling with or without a reprimand
- 148 • Assignment of extra duty, not to exceed 16 hours (0-16 max)
- 149 • Temporary suspension of privileges, not to exceed seven (7) days (0-7 max)
- 150 • Loss of two (2) visiting days, depending upon the custody level of offender (no offender will
 151 lose more than four (4) consecutive visiting days at any one time)

152
 153 The completed Informal Resolution form is placed in the accused offender's unit/working file for
 154 future reference. When an offender is found guilty of an informal resolution and loss of privileges
 155 is imposed with a beginning/ending date for punishment, copies should be forwarded to:

156

- 157 • Case Manager
- 158 • Canteen Manager
- 159 • Telecommunications Department
- 160 • Visitation Department

161
 162 If the accused offender disagrees with the Informal Resolution, then a Formal Resolution will be
 163 prepared and forwarded to the Facility Disciplinary Authority.

164
 165 **Restrictions**

166
 167 Informal Resolution action will not be capricious or in the nature of retaliation or revenge.
 168 Corporal punishment of any kind is strictly prohibited.

169
 170 Informal Resolution actions are NOT subject to the Administrative Remedy Program.

171
 172 **Changes and Recommendations**

173
 174 These procedures will not be deviated from for any reason. These procedures will also be
 175 reviewed annually for soundness and validity and to incorporate any changes deemed
 176 necessary.

177
 178 **Formal Resolution Process**

179
 180 *Adult Community Residential Services:* An offender charged with a major rule violation
 181 receives a written statement of the alleged violation(s), including a description of the
 182 incident and specific rules violated [4-ACRS-6C-02].

183
 184 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that when
 185 rule violations require formal resolution, staff members prepare a disciplinary report and
 186 forward it to the designated supervisor [5-ACI-3C-07].

187
 188 *Adult Correctional Institutions:* Disciplinary reports prepared by staff members include, but
 189 are not limited to, the following information:

190

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191 • specific rule(s) violated
 192 • a formal statement of the charge
 193 • any unusual inmate behavior
 194 • any staff witnesses
 195 • any physical evidence and its disposition
 196 • any immediate action taken, including the use of force
 197 • reporting staff member's signature and date and time of report [5-ACI-3C-08].

198 Additional information for disciplinary reports includes:

200 • Pin number (if applicable)
 201 • Offender's name, number, housing unit, zone/tier, cell/bed
 202 • Location of incident
 203 • Weapon involved
 204 • Offender's signature and date unless refused
 205 • Indication of requested investigation, witnesses, if any, and if accused inmate chose to
 206 waive hearing rights
 207 • Delivering officer's name, signature, date, and time RVR was delivered to the offender

Preparation of RVR

211 An offender may be issued a RVR if he/she:

213 a) Attempts to commit a rule violation
 214 b) Solicits another or others to commit the rule violation
 215 c) Conspires with another or others to commit the rule violation
 216 d) Aids the action of another or others in committing the rule violation

218 As soon as reasonably possible after discovery that the aforementioned has occurred or a
 219 violation has been committed, the officer who witnesses or any employee having knowledge of
 220 the incident will prepare the RVR.

222 All rule violation reports will be legible to the extent possible under the circumstances.

Delivery of RVR to Offender

226 The first copy of the RVR will be delivered to the accused offender within twenty-four (24)
 227 hours of the time the violation is discovered.

229 If the offender refuses to sign for delivery of the RVR, two (2) staff members must witness the
 230 refusal.

232 The delivering employee will also document the offender's request for investigation, list
 233 witnesses on the RVR and indicate whether the offender wishes to waive his/her hearing.

235 Two (2) staff members must witness the offender's wishes to waive his/her rights to a hearing.

237 This must be done whether the offender signs or refuses to sign for delivery of the RVR.
 238 Record of delivery will be made on the RVR showing date, time, and who delivered the copy.

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240 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that an
 241 inmate charged with a rule violation receives a written statement of the charge(s),
 242 including a description of the incident and specific rules violated. The inmate is given the
 243 statement at the same time that the disciplinary report is filed with the disciplinary
 244 committee but no less than 24 hours prior to the disciplinary hearing. The hearing may
 245 be held within 24 hours with the inmate's written consent [5-ACI-3C-11].

246 Indication should be made on the RVR if the offender was placed in Administrative Segregation
 247 pending disciplinary hearing.

248 After all essential information has been recorded by the reporting employee, the RVR will be
 249 reviewed by the Unit Administrator or designee for completeness and to ensure the incident
 250 could not be handled by Informal Resolution.

251 If approved, the Unit Administrator or designee will initial the top left corner of the RVR, enter a
 252 Pending RVR Alert in Offendertrak, and immediately forward the RVR to the Facility Disciplinary
 253 Authority or designee.

254 **Pre-Hearing Status**

255 *Adult Correctional Institutions:* Within the disciplinary procedures document there is
 256 provision for prehearing detention of inmates who are charged with a rule violation. The
 257 inmate's pre-hearing status is reviewed by the warden/superintendent or designee within
 258 72 hours, including weekends and holidays [5-ACI-3C-10].

259 Refer to procedures for Offender Segregation, 19-01-01.

260 **Investigation**

261 *Adult Correctional Institutions:* Written policy, procedure, and practice specify that, when an
 262 alleged rule violation is reported, an appropriate investigation is begun within 24 hours
 263 of the time the violation is reported and is completed without reasonable delay, unless
 264 there are exceptional circumstances for delaying the investigation [5-ACI-3C-09].

265 The Disciplinary Investigator will begin an investigation within 24 hours of the time the rule
 266 violation is reported and will complete it without reasonable delay, unless there are exceptional
 267 circumstances. (Refer to the Investigation Guide and Incident Investigation Form)

268 Exceptional circumstances for delaying an investigation may include, but not be limited to the
 269 following:

- 270 • The accused offender is not available to give a statement (i.e., medical reason, away from
 271 facility)
- 272 • Other offender witnesses are not available to give statements for the same reasons
- 273 • Staff witnesses are not available to give statements
- 274 • Inclement weather conditions
- 275 • Institutional emergency
- 276 • Any extraordinary circumstances approved, in writing, by the Superintendent/Community
 277 Corrections Director

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289 Note: Such exceptions will be noted in the completed investigation package.
 290
 291 The Superintendent/Community Corrections Director or designee will approve such exceptions
 292 in writing.
 293
 294 The investigation will be commenced regardless if the offender requests it or not.
 295
 296

Investigator

- 298 • The Disciplinary Investigator will not be the same staff as the staff that reported the incident
 299 or wrote the RVR.
- 301 • The Disciplinary Investigator will be neutral and unbiased in conducting interviews and
 303 gathering information.
- 304 • In seeking the truth, the Disciplinary Investigator will interview the accused and any other
 305 persons considered having pertinent information.
- 307 • The Disciplinary Investigator will provide factual information, and will have access to all
 308 information concerning the offender's act of misbehavior and will receive cooperation from
 309 all personnel.
- 311 • Any staff member called as a witness will not refuse to give a statement.
- 313 • The Disciplinary Investigator will be subject to call any witness to appear at the hearing.
- 314 • The Disciplinary Investigator will indicate the offender's current job assignment and any
 316 educational programs.

Witnesses

319 The offender charged with a rule violation will be allowed to present documentary evidence and
 320 call defense witnesses unless:

- 323 • Permitting offender to do so will be unduly hazardous to institutional safety and security.
- 325 • Witness was not present when the violation occurred or has no firsthand knowledge of the
 326 incident, or investigation discloses that the called witness's testimony would be repetitive of
 327 all other called witnesses. In such cases, the accused will be permitted to select no more
 328 than two (2) witnesses.

330 If the witness is not readily available for the hearing due to being away from the facility/housing
 331 unit where the RVR is being heard, a statement may be obtained by the investigator to be used
 332 in place of the witness's personal appearance. The investigator may obtain a transcribed
 333 statement over the telephone.

335 *Adult Correctional Institutions: Written policy, procedure, and practice provide that inmates
 336 charged with rule violations are present at their hearings unless they waive that right in*
 337

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338 writing or through their behavior. Inmates may be excluded during the testimony of any
 339 inmate whose testimony must be given in confidence; the reasons for the inmate's
 340 absence or exclusion are documented [5-ACI-3C-16].

341
 342 At the discretion of the Hearing Officer, private testimony may be taken whenever it is
 343 determined that revealing the identity of the witness may subject him to personal danger.
 344 Reasons for the witness's exclusion or absence will be documented and the accused offender
 345 will be notified.

346
 347 Questions may be asked of any witness called to the meeting.

348
 349 **Disciplinary Hearing**

350
 351 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that
 352 disciplinary hearings on rule violations are conducted by an impartial person or panel of
 353 persons. A record of the proceedings is made and maintained for at least six months [5-
 354 ACI-3C-15].

355
 356 Refer to the Rule Violation Report (RVR) Hearing Script.

357
 358 The Hearing Officer will hear all pertinent information surrounding an alleged rule violation.

359
 360 The Hearing Officer will question the accused offender, witnesses and any other person
 361 appearing at the hearing.

362
 363 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that inmates
 364 have an opportunity to make a statement and present documentary evidence at the
 365 hearing and can request witnesses on their behalf; the reasons for denying such a
 366 request are stated in writing [5-ACI-3C-17].

367
 368 The Hearing Officer will exercise control of all questioning to prevent harassment, abuse,
 369 repetition, deficiency of relevancy, and to maintain order.

370
 371 The accused, any witnesses and the accuser, if present, may be excused from the hearing
 372 during deliberation.

373
 374 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that the
 375 disciplinary committee's decision is based solely on information obtained in the hearing
 376 process, including staff reports, the statements of the inmate charged, and evidence
 377 derived from witnesses and documents [5-ACI-3C-19].

378
 379 The RVR will be affirmed if some evidence indicates the underlying action(s) occurred.

380
 381 The RVR itself may be used as the sole basis for the Hearing Officer's decision.

382
 383 The Hearing Officer will render a fair and just punishment for a factual finding and must sign
 384 his/her name to each RVR.

385
 386 A copy of written findings will be given to the offender as soon as reasonably possible after the
 387 hearing.

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388 The accused will be advised of his appeal rights.
 389
 390 *Adult Correctional Institutions: Written policy, procedure, and practice provide that an inmate may waive the right to a hearing provided that the waiver is documented and reviewed by the chief executive officer or designee [5-ACI-3C-12].*
 391
 392

393 An offender may waive the right to a hearing, provided the waiver will be documented and
 394 reviewed by the Superintendent, Warden or designee and/or Community Corrections Director or
 395 designee.
 396

397
 398 *Adult Correctional Institutions: Written policy, procedure, and practice provide that a written record is made of the decision and the supporting reasons, and that a copy is given to the inmate. The hearing record and supporting documents are kept in the inmate's file and in the disciplinary committee's records [5-ACI-3C-20].*
 399
 400

401 The hearing will be recorded and a record of the proceedings will be maintained for a minimum
 402 of three (3) years.
 403

404 If an offender is transferred to another facility prior to a disciplinary hearing, the RVR will be
 405 immediately forwarded to the Superintendent, Warden or Community Corrections Director of the
 406 receiving facility, who will ensure that it is processed.
 407

408
 409 *Adult Correctional Institutions: Written policy, procedure, and practice provide for review of all disciplinary hearings and dispositions by the warden/superintendent or designee to assure conformity with policy and regulations [5-ACI-3C-22].*
 410
 411

412 All completed RVR's will be forwarded to the Warden/Community Corrections Director or
 413 designee for review.
 414

415 **Timelines of Disciplinary Hearing**
 416

417
 418 *Adult Correctional Institutions: Written policy, procedure, and practice provide that inmates charged with rule violations are scheduled for a hearing as soon as practicable but no later than seven days, excluding weekends and holidays, after being charged with a violation. Inmates are notified of the time and place of the hearing at least 24 hours in advance of the hearing [5-ACI-3C-13].*
 419
 420

421 The Hearing Officer will conduct the disciplinary hearing within seven (7) working days after the
 422 violation occurred. If more than seven (7) working days have elapsed, a written explanation
 423 must be included.
 424

425
 426 *Adult Correctional Institutions: Written policy, procedure, and practice provide for postponement or continuance of the disciplinary hearing for a reasonable period and good cause [5-ACI-3C-14].*
 427

428
 429 This must be documented on the RVR.
 430

431
 432
 433 **Rights of the Accused**
 434
 435 The accused must be present at the hearing unless he refuses to appear or use of force would
 436
 437

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438 be required to enforce attendance. In this case, the hearing will continue in his absence. The
 439 reason for the offender's exclusion or absence will be documented on the RVR form and
 440 entered into the record during the hearing. No *absentia* hearing will be held when the offender
 441 is mentally disturbed to such extent that meaningful participation would be precluded, or when
 442 the offender is an *escapee-at-large*.

443

444 Established time frames and procedural requirements listed in this standard operating
 445 procedure are advisory guidelines and do not constitute a due process right to the offender.

446

447 The Agency's failure to abide by the time frames and procedural requirements will not be a
 448 basis for dismissal of the RVR.

449

450 *Adult Correctional Institutions: Written policy, procedure, and practice provide that a staff*
 451 *member or agency representative assists inmates at disciplinary hearings if requested.*
 452 *A representative is appointed when it is apparent that an inmate is not capable of*
 453 *collecting and presenting evidence effectively on his or her own behalf [5-ACI-3C-18].*

454

Disposition and Penalties

455

456 The Disciplinary Hearing Officer will consider the seriousness of each incident/violation, to
 457 include those incidents/violations listed on the Intensive Supervision Program and Earned
 458 Release Certificate and the mental status of each offender when assessing punishment.

459

460 *Adult Community Residential Services: The facility implements a system of a progressive*
 461 *discipline [4-ACRS-6C-04].*

462

463 *Adult Community Residential Services: Offender rules and disciplinary regulations*
 464 *describe violations, sanctions, and penalties [4-ACRS-3A-01].*

465

466 *Adult Correctional Institutions: Written rules of inmate conduct specify acts prohibited*
 467 *within the institution and penalties that can be imposed for various degrees of violation*
 468 *[5-ACI-3C-01].*

469

470 *Adult Correctional Institutions: All personnel who work with inmates receive sufficient*
 471 *training so that they are thoroughly familiar with the rules of inmate conduct, the*
 472 *rationale for the rules, and the sanctions available [5-ACI-3C-04].*

473

474 All staff will receive training on the disciplinary procedures to include rules of inmate conduct,
 475 the rationale for the rules, and the sanctions available.

476

477

RULE VIOLATIONS

478

479 The Mississippi Department of Corrections has adopted the following categories of rule
 480 violations:

481

Violation Category A (Minor Violations)

Rule Number	Rule Violation Description
A1	Littering

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A2 Illegal possession of any item or quantities not on the allowable items list (Minor-Miscellaneous Contraband)		
A3 Unauthorized removal of food or utensils from any food service area		
A4 Faking illness or injury		
A5 Failure to abide by any published institutional schedule or documented rules		
A6 Violating the institutional dress code or grooming standards		
Sanctions for Violation Category		
Reprimand and warning.		
Restriction of all privileges not to exceed one (1) month, excluding exercise periods. This will not exclude restriction from use of recreational facilities in the institution.		
Loss of privileged housing, job or meritorious living conditions.		
Restitution		
Recommend custody review		

483

Violation Category B (Serious Violations)

Rule Number	Rule Violation Description
B1	Improper or unauthorized use of state equipment or materials
B2	Interfering with an employee in the performance of their duty
B3	Refusing or failing to obey an order of staff
B4	Violation of mail, telephone, or visiting regulations
B5	Failure to clean bed area or pass bed area inspection
B6	Breaking or entering into another inmate's locker, room, cell or living unit
B7	Refusing or failing to carry out work assignment
B8	Physical action against another person where no physical injury has occurred, including horseplay
B9	Inflicting injury to self (Self-Mutilation)
B10	Tattooing or piercing self or others or allowing self to be tattooed or pierced
B11	Being in a restricted or unauthorized area
B12	Violating a condition of any outside work assignment
B13	Abusive, disrespectful, vulgar, obscene or threatening language, gestures or actions directed toward or about any person
B14	Lying to an employee
B15	Unauthorized communication with any member of the public, staff, or between inmates

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B16	Disruptive behavior or disorderly conduct which threatens the orderly running of the facility
B17	Refusing or failing to submit to a drug urinalysis test (Refer to Special Circumstances 18.01.01 for punishment)
B18	Smuggling of contraband items into, out of, or within the institution
B19	Engaging in extortion or blackmail, bribery, loan sharking, collecting or incurring debt
B20	Refusing or failing to comply with institutional count or lockup procedures
B21	Nonviolent demonstration or inciting a nonviolent demonstration that may lead to a disruption of institutional operations
B22	Negligent or deliberate destruction, alteration or defacing of state, personal, or community property valued less than \$100
B23	Deliberately or negligently causing a fire
B24	Inappropriate sexual behavior with another person or indecent exposure (Masturbation)
B25	Gambling
B26	Stealing
B27	Making threatening or intimidating statements
B28	Refusing to submit to a search
B29	Pursuing or developing a relationship that is unrelated to correctional activities with a non-inmate (Fraternization)
B30	Possession of serious contraband to include but not limited to: <ul style="list-style-type: none"> • Money • State equipment or materials • Gang paraphernalia • Tobacco products (Not in canteen list-Includes the Use of Tobacco or accessories and electronic cigarettes) • Gambling paraphernalia • Stolen property less than \$100 • Tattoo or body-piercing paraphernalia Drug paraphernalia
B31	<ul style="list-style-type: none"> • Failure to abide by the "statement of conditions" of release for Earned Release Supervision, Medical Release or Intensive Supervision Program or 72 Hour Honorary Leave Agreement
B32	Absconding supervision from community supervision
B33	Giving or receiving anything of value to or from another
Sanctions for Violation Category	
Restriction of all privileges not to exceed one (1) month, excluding exercise periods. This will not exclude restriction from use of recreational facilities in the institution.	
Loss of privileged housing, job or meritorious living conditions.	
Restitution	

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Recommend custody review

Assignment to disciplinary segregation for a maximum of twenty (20) days, each offense.

Upon a guilty finding, in addition to any other authorized sanction for this category of rule violations, the disciplinary hearing officer will recommend the following progressive disciplinary sanction:

- If an inmate has accumulated three (3) Category B rule violations within a six (6) month period, the offender will lose thirty (30) days of earned time.
- Receiving a 4th RVR within a six (6) month period will result in an additional loss of sixty (60) days of earned time
- Receiving a 5th RVR within a six (6) month period will result in an additional loss of ninety (90) days of earned time
- In addition to all previous loss of earned time under Category B, upon receiving six (6) or more RVRs within a six (6) month period will result in the same sanctions listed under Category C Rule Violations

484

Violation Category C (Major Violations)

Rule Number	Rule Violation Description
C1	Negligently or deliberately destroying, altering or defacing of state, personal, or community property valued at \$100 or more
C2	Destroying or tampering with life safety equipment, locking or security devices
C3	Tampering with physical evidence or hindering an investigation
C4	Using mail to obtain money, goods or services by fraud
C5	Involvement in disruptive, assaultive, or criminal gang activity
C6	Escape
C7	<p>Possession of major contraband to include but not limited to:</p> <ul style="list-style-type: none"> • Firearms • Sharpened instrument or knife • Other objects capable of inflicting death • Tools • Explosives/ammunition • Medication (prescription, non-prescription) • Illegal drugs • Electronic devices or parts • Escape paraphernalia • Staff clothing or uniform related items • Stolen property over \$100 <p>(Refer to Special Circumstances, 18.01.01)</p>
C8	Assaultive action against any person or staff member resulting in serious physical injury

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C9	Physical action resulting in the death or murder of any person			
C10	Hostage taking			
C11	Inciting to riot or rioting			
C12	Arrest for criminal activity while on 72 Hour Leave			
C13	Unauthorized use of drugs or intoxicants or testing positive for either (Refer to Special Circumstances 18.01.01 for punishment)			
	Sanctions for Violation Category			
Restitution				
Recommend custody review				
Assignment to disciplinary segregation for a maximum of twenty (20) days, each offense				
Restriction of privileges not to exceed two (2) months, excluding exercise periods. This will not exclude restriction from use of recreational facilities in the institution.				
Removal from 30/30 trusty status for a period of six (6) months (Only if offender is receiving 30/30 trusty status).				
If the offender does not receive 30/30 trusty status, the offender will lose 180 days of earned time (e.g., MET, TET, Earned Time).				
Loss of all earned time (Earned time is to be forfeited for escapees or aiding and abetting an escape pursuant to MCA 47-5-139)				
Suspension of visitation and commissary privileges for 18 months for offenders found guilty by a Disciplinary Hearing Officer of assaulting a staff member. Loss of all earned time and Trusty status				
Loss of 6 months Canteen and Visitation for Major Contraband C-7 – No exceptions				
If the RVR is a C8, the inmate will have his account frozen and will be liable for medical costs associated for the assaultive behavior. (Off-site medical \$1,500; onsite \$500)				

SPECIAL CIRCUMSTANCES

485

486 In addition to any other penalty or penalties which will be imposed the following actions

487 will be taken:

488

- 489 • A second (2nd) sanction may be given for each serious or major violation as long as it is listed under the authorized sanction for that rule violation
- 490
- 491 • Time spent in pending disciplinary segregation (PDA) will be credited against any subsequent discipline imposed
- 492
- 493 • Objective Reclassification if warranted (Refer to Institutional Classification Handbook)
- 494
- 495 • Referral to District Attorney if warranted
- 496
- 497 • The first time a Community Work Center, County State Work Program, or Restitution Center offender tests positive or refuses to submit a urine sample, he/she will be referred to A&D (max 3 months). These offenders will not have their custody reduced or reclassified with the objective classification instrument.
- 498
- 499
- 500
- 501
- 502
- 503

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504 • Earned time is to be forfeited for escapees or aiding and abetting an escape pursuant to
 505 MCA 47-5-139.

506 • Offenders who receive a RVR for C-8, "Assaultive action again any person or staff member
 507 resulting in serious physical injury" and are found guilty by a Disciplinary Hearing Officer of
 508 assaulting a staff member, will have visitation and commissary privileges suspended for 18
 509 months. Loss of all earned time and Trusty status.

510 • Offenders in Institutions, Private Prisons and County Regional Facilities who are
 511 charged with possession of electronic devices or parts will receive:
 512 1. Removal from trusty earned time for six (6) months if they are receiving 30/30 trusty time
 513 2. Loss of 180 days of trusty time if in 10/30 trusty status
 514 3. Loss of earned time up to 180 days if not in trusty status

515 • Offenders in Community Work Centers who are charged with possession of electronic
 516 devices or parts will receive:
 517 1. For the first RVR, removal from trusty status for a period of 6 months or loss of 180 days
 518 earned time
 519 2. For the second RVR, loss of honorary leave and suspension of visitation and
 520 commissary privileges for 18 months

521 MDOC may deviate from these advisory guidelines based on the severity of the offense, a
 522 history of offenses, and other factors.

Sanctions for youth housed in the Youthful Offender Unit (YOU) by Category

Category A (Minor Violations)

1. Verbal reprimand and warning
2. Reduction of maximum behavior points for that period
3. Loss of telephone, visitation, and store privileges earned through the Behavior Management Program
4. Reduction s to a lower privilege through the Behavior Management Program
5. Activity Restriction
6. Early Bed

Category B (Serious Violations)

1. Restitution
2. Extreme work detail
3. Isolation/segregations
4. Loss of Job, housing privileges
5. Activity Restriction
6. Reduction of Level or more than one level through the Behavior Management Program
7. Loss of visitation earned through the Behavior Management Program
8. Loss of telephone call earned through the Behavior Management Program.

Category C (Major Violations)

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553
554 1. Restriction
555 2. Reduction of Positive Behavior Management Points
556 3. Reduction of Level of Behavior Management Program
557 4. Extensive Work Detail
558 5. Disciplinary Isolation
559 6. Major Sanction added to a serious sanction
560 7. Loss of one month of telephone calls earned through the Behavior Management Program

561
562 **Evidence**

563 Any and all evidence, with the exceptions referenced in policy 16-14, Preservation of Physical
565 Evidence, accompanying a RVR will be recorded, labeled and stored securely at the Central
566 Disciplinary Office. After the RVR is heard and the findings are known and unless further need
567 for same, the evidence will be held ninety (90) days then destroyed in the following manner:

568
569 • All drugs or drug paraphernalia seized will be turned over to Corrections Investigation
570 Division (CID)
571 • All recyclable metals and plastics will be turned over to the Property Office
572
573 • All sharp instruments (i.e., knives and shanks) will be turned over to the K-9 staff for
574 destruction. **Note: Weapons used in assaults on staff and/or inmates will be remanded
575 to CID**
576
577 • All paper, cloth and other miscellaneous items will be turned over to the Fire and Safety
578 Inspector
579
580 • Cell phones and cell phone related accessories confiscated from offenders housed in
581 Community Work Centers, Private Facilities and Regional Facilities are to be forwarded to
582 the Corrections Investigation Division (CID) Office located at the Central Office. Items
583 confiscated at the State Institutions are to be forwarded to the Institutional CID Office. The
584 confiscated items along with the appropriate documentation for each item are to be
585 forwarded immediately or after final disciplinary action. Any item needed for criminal
586 prosecution should be forwarded upon completion of prosecution unless otherwise directed
587 by the prosecutor.

588
589 **Offender Not Guilty/Dismissed**

590
591 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that if an
592 inmate is found not guilty of an alleged rule violation, the disciplinary report is removed
593 from all of the inmate's files [5-ACI-3C-21].

594
595 **Assistance to an Offender in a Hearing**

596 When it is apparent that an offender is not capable of effectively collecting and presenting
597 evidence on his own, a representative will be appointed to assist the offender. The
598 Superintendent or designee will make available representatives capable of assisting offenders
599 in disciplinary hearings and filing appeals upon offender's request.

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602 **Notification and Punishment**

603

604 • The Institutional Hearing Officer (IHO) will log all RVR's and final dispositions on a daily
605 basis.

606

607 • This log will be forwarded to the appropriate Warden/Community Corrections Director or
608 designee and to appropriate departments prior to the conclusion of each workday.

609 • They will ensure the immediate imposition of punishment.

610

611 **Disciplinary Hearing Docket**

612

613 The responsible Disciplinary Hearing Officer will prepare a Disciplinary Hearing Docket for all
614 daily scheduled offender disciplinary hearings. The docket will include for each offender:

615

616 • Date of hearing

617 • Name and MDOC number of the offender

618 • Housing and work/program assignment of the offender

619 • Rule violation number(s)

620 • Finding

621 • Recommended sanctions (if applicable)

622 • Name and title of the Disciplinary Hearing Officer

623

624 The Disciplinary Hearing Docket will be submitted to the responsible Associate Warden or
625 designee at the conclusion of offender disciplinary hearings each day. A weekly rule violation
626 pending log report will be submitted to the area warden.

627

628 *Adult Community Residential Services: The facility's disciplinary process is defined and
629 provides appropriate procedural safeguards, to include:*

630 • Report of incident and charge

631 • Notice

632 • Time to prepare for hearing

633 • Assistance as needed

634 • Timely hearing

635 • Opportunity to present evidence

636 • Fair decision

637 • Written notice of decision

638 • Opportunity to appeal [4-ACRS-6C-03].

639

640 **Appeals**

641

642 *Adult Correctional Institutions: Written policy, procedure, and practice grant inmates the
643 right to appeal decisions of the disciplinary committee to the warden/superintendent or
644 designee. Inmates have up to 15 days of receipt of the decision to submit an appeal. The
645 appeal is decided within 30 days of its receipt, and the inmate is promptly notified in
646 writing of the results [5-ACI-3C-23].*

647

648 The offender may appeal the decision of the hearing officer by using the Administrative Remedy
649 Program (ARP).

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650 If the offender refuses to sign for the RVR, the RVR will be documented that the offender
 651 refused to sign. The offender will have fifteen (15) days to appeal the RVR decision.

652
 653 RVR appeals will not be logged and set aside.
 654 At the time of notification of a guilty finding in a disciplinary hearing, the inmate will be notified
 655 that he/she has the right to appeal any decision of, or disciplinary action taken by the
 656 Disciplinary Hearing Officer, directly to the Warden/Community Corrections Director or designee
 657 of the unit/center involved via the Legal Claims Adjudicator.

658
 659 This notification will be documented by having the inmate sign the front of the RVR indicating
 660 that he/she understands the right to appeal.

661
 662 If the inmate waives his/her right to appear and is found guilty, he/she cannot appeal the
 663 decision.

664
 665 The appeal will be submitted in writing within fifteen (15) days after a copy of the Disciplinary
 666 Hearing Officer's decision is offered to the inmate and will set forth in detail the grounds for any
 667 appeal.

668
 669 In the event the inmate is illiterate, at the request of the inmate, the inmate's case manager may
 670 assist him/her in writing the letter of appeal.

671
 672 The Warden/Community Corrections Director or designee has thirty (30) calendar days from
 673 receipt of the appeal to respond.

674
 675 During the appeal, the reviewer may affirm the action of the Disciplinary Hearing Officer or alter
 676 it as he/she deems just and proper except at no point in the appeal process will the penalty be
 677 increased.

678
 679 If the offender is not satisfied, he/she may file suit in state or federal court. The offender must
 680 provide the ARP number on the court forms.

681
682 Criminal Violation

683
 684 *Adult Correctional Institutions: Written policy, procedure, and practice provide that, where*
 685 *an inmate allegedly commits an act covered by criminal law, the case is referred to*
 686 *appropriate court or law enforcement officials for consideration for prosecution [5-ACI-*
 687 *3C-06].*

688
 689 The Hearing Officer will forward a copy of any RVR considered felonious to the Corrections
 690 Investigation Division along with all relevant documents (i.e., Incident Reports, Use of Force
 691 Reports) concerning the violation for consideration of prosecution.

692
 693 This will not interfere with processing the rule violation through the administrative disciplinary
 694 hearing by the Hearing Officer.

695
696 Restrictions

697
 698 Disciplinary action will not be capricious or in the nature of retaliation or revenge. Corporal
 699 punishment of any kind is strictly prohibited.

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700

Rule Violation Report Filing

701

When an inmate is found guilty of a rule violation the original RVR and all supporting documentation attached to it will be placed in the inmate's permanent MDOC master file.

702

703

704

705

706

Procedure for Loss of Earned Time

707

1. Designated Disciplinary Staff and Associate Warden or designee (IHO) will enter the RVR and findings into Offendertrak within twenty-four (24) hours after the disciplinary hearing is conducted. This includes all punishment(s) with starting and ending dates for the imposed punishment. Hearings conducted on weekends/holidays will be entered no later than the next working day.
2. The designated staff person who enters the RVR, which resulted in loss of earned time, is responsible for forwarding the original RVR with all supporting documentation to the Commissioner or designee for final approval. At Regional facilities, the Warden is responsible for forwarding the RVR and the supporting documentation to the Commissioner or designee.
3. The Commissioner or designee will forward all approved Loss of Earned Time RVRs to MDOC Records Department in order to modify the entry into Offendertrak accordingly.

713

714

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722

Procedures for Removal from Trusty Status

723

724

725

726

727

728

729

1. Designated Disciplinary Staff and Associate Warden or designee (IHO) will enter the RVR and findings into Offendertrak within twenty-four (24) hours after the disciplinary hearing is conducted. This includes all punishment(s) with starting and ending dates for the imposed punishment. Hearings conducted on weekends/holidays will be entered no later than the next working day.
2. Any rule violation that requires reclassification or removal from 30/30 trusty status will be delivered to the Associate Warden at state facilities the Classification Supervisor at private facilities, and the Warden at Regional facilities.
3. The Associate Warden, Classification Supervisor, or Warden will review and take the appropriate action by ensuring that a Staff Request is completed recommending the inmate be removed from Trusty Status. The rationale or justification and effective date for removal should be included on the Staff Request. The effective date for removal will be the date the inmate was found guilty of the rule violation.
4. The Associate Warden, Classification Supervisor, or Warden will review the Staff Request for its accuracy and forward it to the appropriate Assistant Director of Offender Services (ADOS).
5. Upon receiving the Staff Request, the ADOS will review and finalize the Staff Request within OffenderTrak.
6. Upon approval of the Staff Request, the ADOS will submit the Staff Request via the workflow inbox to the designated Records Staff.

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750

751 **DOCUMENTS REQUIRED:**

752

753 As required by this procedure and through the chain of command.

754

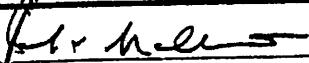
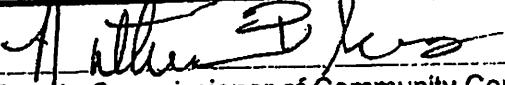
ENFORCEMENT AUTHORITY		
Reviewed and Approved for Issuance	 11-18-21	Date
	 11-29-21	Date
	Deputy Commissioner of Institutions	
	Deputy Commissioner of Community Corrections	

Exhibit # 17

ARP-2

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-634

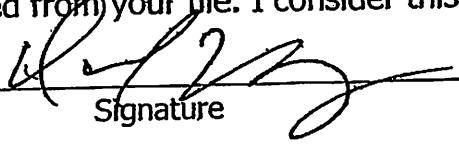
FIRST STEP RESPONSE FORM
For RVRs

You must return your response to the Legal Claims Adjudicator within 30 days of the date you signed for this request.

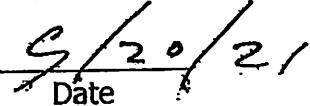
Offenders' Name and #: Jason Holloway #M0998
Unit: Wilkinson County Correctional Facility

1st Step Respondent: D. Vannoy
Title: Warden

In response to your ARP claim. In reference to your Rule Violations Report appeal. The information gathered reveals according to the reporting employee Sgt. Hall you tested positive for BUP 5 on your urine test and refused to submit to a urinalysis test on 7/16/2021. Your appeal is denied. RVR's #1939652 and #1939707 will not be expunged from your file. I consider this matter resolved at this level.



Signature

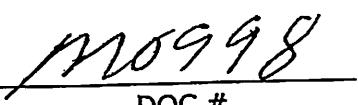


Date

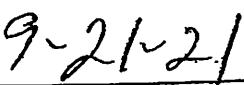
The above named inmate has fulfilled the requirements of the Administrative Remedy Program for an RVR appeal and is eligible to seek judicial review within 30 days of receipt of this First Step Response.



Inmate's Signature



DOC #



Date

Exhibit # 18

ARP-2

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-22-89

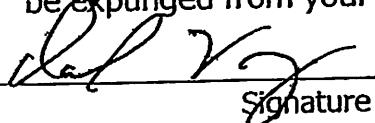
FIRST STEP RESPONSE FORM
For RVRs

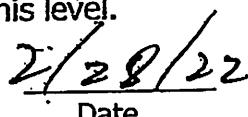
You must return your response to the Legal Claims Adjudicator within 30 days of the date you signed for this request.

Offenders' Name and #: Jason Holloway #M0998
Unit: Wilkinson County Correctional Facility

1st Step Respondent: D. Vannoy
Title: Warden

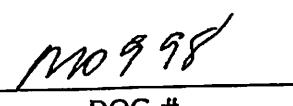
In response to your ARP claim. In reference to your Rule Violation Report appeal. The information gathered reveals according to Sgt. Hall you refused to submit urine for a reasonable suspicion drug test. Your appeal is denied. RVR #2011878 will not be expunged from your file. I consider this matter resolved at this level.

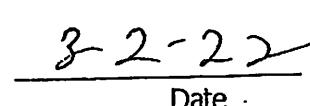

Signature


Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program for an RVR appeal and is eligible to seek judicial review within 30 days of receipt of this First Step Response.


Inmate's Signature


DOC #


Date

In The United States District Court for
The Southern District of Mississippi

Jason Holloway

Plaintiff

vs

civil action no. 5:21-cv-63-KS-RHWR

Scott Middlebrooks et al

Defendants

Motion for The Appointment
of Counsel

Plaintiff, Jason Holloway, pursuant to § 1915,
request this Court to appoint counsel to represent
him in this case for the following reasons.

1. The plaintiff is unable to afford counsel.
2. The issues involved in this case are complex.
3. The plaintiff, as a Protective Custody inmate, has
extremely limited access to the law library.

pg 2 of 2

4. Over 30 days ago, the plaintiff wrote letters to three attorneys, Thorn Glenn, Jacob Howard, and King & Spalding Law Firm, asking them to handle his case but he has not heard from any of them.
5. The plaintiff has a little /imited knowledge of the law.

Where fore, this Honorable Court should appoint counsel to represent the plaintiff.

Respectfully Submitted,
Jason Holloway

Jason Holloway # M0998
WCCF E-207
P.O. Box 1889
Woodville, MS 39669

8-31-22

In The United States District Court For The
Southern District of Mississippi

Jason Holloway # M0998

Plaintiff

vs

civil action no. 5:21-cv-63-KS-RHWR

Scott Middlebrooks et al

Defendants

Declaration In Support of Plaintiff's
Motion For The Appointment of Counsel

Jason Holloway states :

1. I am the plaintiff in the above-entitled case. I make this declaration in support of my motion for this appointment of counsel.
2. The complaint in this case alleges that the plaintiff was denied his religion, denied adequate medical care, and denied due process. The plaintiff also is challenging the condition of his confinement.

3. This is a complex case because it contains several different legal claims, with each claim involving a different set of defendants.
4. This case involves medical issues that may require expert testimony.
5. The plaintiff has demanded a jury trial.
6. The case will require discovery of documents and depositions of a number of witnesses.
7. The testimony will be in sharp conflict on several of the issues raised by the plaintiff.
8. The plaintiff has only a GED and has very limited legal education.
9. The plaintiff is serving his sentence on Protective Custody. For this reason, he has very limited access to legal materials and has no ability to investigate the facts of the case, for example, by locating and

interviewing other staff and inmate witnesses.

10. As set forth in the Memorandum of Law submitted with this motion, these facts, along with the legal merit of plaintiff's claims, support the appointment of counsel to represent the plaintiff.

Wherefore, the plaintiff's motion for appointment of counsel should be granted.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Signed this the 31 day of May, 2022.

Respectfully Submitted,
Jason Holloway

Jason Holloway # M0998
WCCF E-207
P.O. Box 1889
Woodville, MS 39669

In The United States District Court for The
Southern District of Mississippi

Jason Holloway

Plaintiff

vs

civil action no. 5:21-cv-63-KS-RHWR

Scott Middlebrooks et al

Defendants

Memorandum of Law in Support of
Plaintiff's Motion for The Appointment of Counsel

Statement of the Case

This is a civil rights case filed under 42 U.S.C. § 1983 by a state prisoner and asserting claims for the unconstitutional denial of religion, denial of due process, denial of adequate medical care and conditions of confinement. The plaintiff seeks damages as to all claims and injunction relief.

Statement of Facts

The Complaint alleges that the plaintiff was denied the right to practice his religion, that he was denied due process at all of his disciplinary hearings, that he was denied adequate medical care, that staff failed to follow the doctors orders to his medical ordered diet and his conditions of confinement.

Argument

In deciding whether to appoint counsel for an indigent litigant, the court should consider "the factual complexity of the case, the ability of the indigent to investigate the facts, the existence of conflicting testimony, the ability of the indigent to present his claim and complexity of the legal issues." Ulmer v Chancellor 691 F.2d 209 (5th Cir 1982)

In addition, courts have suggested that the most important factor is whether the case appears to have merit. Carmona v U.S. Bureau of Prisons, 243 F.3d 629 (2nd Cir. 2001)

1. Factual Complexity. The plaintiff alleges that several

staff at W.C.C.F. who are named defendants in this case violated several of the plaintiff's constitutional rights, by denying him to practice his religion, denied him adequate medical care, failed to follow the doctors orders of his medical ordered diet, denied him due process at his disciplinary hearings, and challenging his conditions of confinement. The sheer number of claims and defendants makes this a factually complex case.

In addition, one of the plaintiff's claims involve the denial of medical care; it will probably be necessary to present a medical expert witness or to cross-examine medical witnesses called by the defendants, or both. The presence of medical or other issues requiring expert testimony supports the appointment of counsel. Montgomery v Pinchak, 294 F.3d 492 (3rd Cir 2002); Moore v Mabus, 976 F.2d 268 (5th Cir 1992); Jackson v. County of McLean, 953 F.2d 1070 (7th Cir 1992).

2. The plaintiff's ability to investigate. The plaintiff

is a Protective Custody inmate and has no ability to investigate the facts. For example, he is unable to identify, locate, and interview other inmates who were housed on the same zone as he is and have been moved to other facilities. He is in the same situation with regard to developing the facts from other staff members that no longer work at the facility a factor that several Courts have cited in appointing counsel. Tucker v Randell, 948 F.2d 288 (7th Cir 1991); Gaston v Coughlin, 679 F. Supp. 270 (W.D.N.Y 1988). In addition, this case will require considerable discovery concerning the identity of witnesses, the officers' reports and statements regarding the disciplinary hearings and the plaintiff's medical history. See Pacham v Johnson, 126 F.3d 454 (3rd Cir 1997) (holding counsel should have been appointed because "prisoner's lack of legal experience and the complex discovery rules clearly put him at a disadvantage in countering the defendants' discovery tactics... these [discovery] rules prevented [the plaintiff] from presenting an effective case below.").

3. Conflicting Testimony. The plaintiff's account of all

the constitutional violations will be in great conflict with the testimony of the defendants. This aspect of the case will be a credibility contest between the defendants and the plaintiff (and such inmate and other witnesses as can be located). The existence of these credibility issues supports the appointment of counsel. Steele v Shah, 87 F.3d 1266 (11th Cir 1996); Gaston v Coughlin, 679 F.Supp. at 273.

4. The ability of the indigent to present his claim. The plaintiff is an indigent prisoner with no legal training, a factor that supports the appointment of counsel. Brauch v Cole, 1681 F.2d 264 (5th Cir 1982); Forbes v Edgar, 112 F.3d 262 (7th Cir 1997). In addition, he is confined to a zone as a Protective Custody inmate with very limited access to legal materials. Rayes v Johnson, 969 F.2d 700 (8th Cir 1992) (citing lack of ready access to a law library as a factor supporting the appointment of counsel).

5. Legal Complexity. The large number of defendants, some who are supervisory officials, presents complex

legal issues of determining which defendants were sufficiently personally involved in the constitutional violations to be held liable, Hendricks v Coughlin; 114 F.3d 390 (2d Cir 1997).

6. Merit of the Case. The plaintiff's allegations, if proved, clearly would establish constitutional violations. The denial of religion in the complaint clearly states a 1st Amendment Claim.

The allegations of denial of medical care amount to deliberate indifference to prisoners medical needs, Estelle v Gamble, 429 U.S. 97 (1976). The unjustified denial of witnesses, conviction of a disciplinary offense with no supporting evidence, and the failure to give a meaningful statement of reasons for the decisions are all violations of clearly established due process principles. See Ponte v Real, 471 U.S. 491 (1985); Superintendent v Hill, 472 U.S. 445 (1985); Wolff v McDonnell, 418 U.S. 539 (1974). On its face, then, this is a meritorious case.

Conclusion

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for all the foregoing reasons mentioned herein,
the court should grant the plaintiff's motion and
appoint counsel in this case.

Respectfully Submitted,
Jim May

5-31-22

Jason Holloway # M0998
W.C.C.F. E-207
P.O. Box 1889
Woodville, MS 39669